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METROPOLITAN
DISTRICT
COMMISSION

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Record of the Three Thousand Seven Hundred and Thirty Fourth (3734th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, June 22, 1995 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Settles and Wu.

The Records of the Commission Meeting held on June 8, 1995 were read and approved.
Associate Commissioner Carr noting that he was not at the Commission Meeting of June 8, 1995, abstained from voting on this matter.

The Secretary submitted for signature the following papers which were signed by the Commissioner and four Associate Commissioners:

1. Amendment No. 8, dated June 22, 1995, to Contract-Agreement No. P77-0000-D1D, with Parsons Brinckerhoff Quade & Douglas, Inc., Alewife Brook Parkway Bridge, Cambridge.

2. Amendment, dated June 22, 1995, to Contract-Agreement No. P94-1744-D1A, with Rizzo Associates, Inc., for Engineering Services and Remedial Response Action for the Former Underground Fuel Storage Site at Breakheart Reservation.

3. Amendment, dated June 22, 1995, to Contract-Agreement No. P82-1120-D1A, with Sasaki Associates, Inc., for Drainage and Irrigation System Rehabilitation for Ponkapoag Golf Course.

4. Amendment No. 4, dated June 22, 1995, to Contract-Agreement No. P85-1341-D1E, with Andrew Christo Engineers, Design Engineers, for Engineering Services for Reconstruction/Rehabilitation of Lynn Shore Drive, Lynn Beach, King's Beach Rehabilitation.

Action was taken upon the following matters relating to the Engineering and Construction Division:

5. Report of Mr. Faucher and Miss Peterson, June 9, requesting permission to proceed with a Sixth Amendment for an extension of time from July 31, 1995 to December 31, 1996, on Contract No. P82-1054-D1G, with Edwards & Kelcey, Inc., for Services for Upgrading and Rehabilitation of the MDC Charles Circle Bridges 57A and 57B, in order that the Consultant may provide construction services for the contract.
(At no increase in Contract cost).
The Commission V O T E D: Approved.

6. Report of Messrs. Faucher and Arinella, June 14, requesting authorization to readvertise Project No. P95-1799-M1A, for Service to Hydraulic Power Systems Flood Control/Navigation.
(No bids were received for the Project at the scheduled bid opening on June 14, 1995).
The Commission V O T E D: authorization to readvertise Project No. P95-1799-M1A, for Service to Hydraulic Power Systems Flood Control/Navigation.

1. Report of Messrs. Faucher and Arinella, June 14, on bids for Service to Underwater Structures Flood Control/Navigation, Project No. P95-1800-M1A.
(Messrs. Faucher and Arinella request rejection of both bids as the lowest bid was 31% over the Engineer's estimate. They further request permission to readvertise the project).
The Commission V O T E D: to reject both bids received as requested by Messrs. Faucher and Arinella in their report of June 14, 1995.
The Commission further V O T E D: permission to readvertise Project No. P95-1800-M1A for Service to Underwater Structures Flood Control/Navigation.

2. Report of Messrs. Faucher and Haider, June 14, submitting for approval Project Summary, Project Justification, Work Schedule and requesting authorization to advertise Project No. P95-1813-M1A, for Servicing of Heating, Ventilation and Air Conditioning Systems at Various MDC Facilities Within the Metropolitan Parks System.
Estimated Cost - $80,000.00 FY96
$80,000.00 FY97
(Contingent upon the availability of funds in Account No. 2440-0010).
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P95-1813-M1A, for Servicing of Heating, Ventilation and Air Conditioning Systems at Various MDC Facilities Within the Metropolitan Parks System.

3. Report of Messrs. Faucher, Brooks and Mayhew, June 15, submitting for approval Project Summary, Project Justification, Work Schedule and requesting authorization to advertise Project No. P95-1812-C1A, for Installation of New Roofing Systems at Shea Rink, Quincy, Bryan Rink, West Roxbury and Reilly Rink and Pool, Brighton.
Estimated Cost - $1,000,000.00.
Time for Performance - three months.
Account No. 2440-8952.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P95-1812-C1A, for Installation of New Roofing Systems at Shea Rink, Quincy, Bryan Rink, West Roxbury and Reilly Rink and Pool, Brighton.

Action was taken upon the following matters relating to the Watershed Management Division:

4. Report of Mr. McGinn, May 10, requesting approval to engage the services of the following nine rain gauge observers, at a cost of $180.00 per observer, for FY96. Total Cost $1,620.00 -

QUABBIN	**WACHUSETT**
Arthur R. Coolidge	David Rota
Doris E. Cornwell	Dennis S. Moore
Glenn M. Dickson	John T. Flanagan Jr.
John Guzik	Kathryn R. Murdock

QUABBIN	WACHUSETT
	Worcester Horticultural County Citizens

Account No. 2420-1400-HH-H25.
The Commission VOTED: Approved.

1. Report of Messrs. McGinn and Robert O'Connor, June 15, requesting approval of a Contract with Berkshire Pioneer Resource Conservation and Development Area, Inc., for Assistance in Completing Forest Management Plans and Forest Restoration Projects Within the Wachusett Watershed.
Cost not-to-exceed - $40,000.00.
Time for Performance - July 1, 1995 to June 30, 1997.
Account No. 2420-1400.
The Commission VOTED: Approved.

Action was taken upon the following matters relating to the Recreational Facilities and Programs Division:

2. Report of Miss Connolly, June 14, requesting approval and execution of a Service Contract, in the amount of $8,288.00, with Nation Wide Security, Inc., for Security Services at the Allied Veterans Pool, Everett, for the period July 1, 1995 through September 4, 1995.
Account No. 2440-0010.
The Commission VOTED: Approved.
The Secretary then submitted for signature Service Contract, dated June 22, 1995, with Nation Wide Security, Inc., which was signed by the Commissioner and four Associate Commissioners.

3. Report of Miss Connolly, June 15, submitting for approval and execution Agreement between the MDC and Massachusetts Electric Company (MEC), in which MEC will donate an electric Zamboni to the MDC.
The Commission VOTED: Approved.
The Secretary submitted for signature Agreement, dated June 22, 1995, between the MDC and Massachusetts Electric Company, which was signed by the Commissioner and four Associate Commissioners.

Action was taken upon the following Various Matters:

4. Report of Mr. Jewett, June 16, requesting approval of an Amendment to Open Order Contract No. RP95-0006, for Park Land Acquisition - Land Survey Services - Middlesex, Suffolk, Norfolk, Essex and Plymouth Counties, as approved by the Commission at its Meeting of May 11, 1995, by increasing the value of a Contract, as follows -

	FROM	**TO**
Surveying and Mapping Consultants, Inc.	$12,000.00	$12,400.00

Account No. 2441-9886.
The Commission VOTED: Approved.

5. Report of Mr. Jewett, June 15, recommending approval of and authorization for Commissioner Balfour to execute, on behalf of

the Commission, an Amendment to Open Order Contract No. RP94-0003-1, for Watershed Land Acquisition Program FY95 - Professional Real Estate Land Survey Services - Wachusett, Ware River and Quabbin Watershed Areas - Worcester and Franklin Counties, as approved by the Commission at its Meeting of June 30, 1994, which increases the value of the Contract, as follows -

	FROM	**TO**
Cullinan Engineering	$ 5,295.00	$ 7,288.50

Account Nos. 2421-9936 and 2420-1846.
The Commission VOTED: Approved.
The Commission further VOTED: authorization for Commissioner Balfour to execute the Amendment on behalf of the Commission.

1. Report of Mr. Jewett, June 16, on behalf of the Consultant Selection Committee, recommending approval and execution of Contract No. P87-1449-M5A, with Inchcape Testing Services Environmental Laboratories, for Analytical and Water Quality Testing at MDC Facilities.
Time for Performance - July 1, 1995 through June 30, 1997.
Estimated cost - $80,000.00.
Account No. 2440-0010 - funding is contingent upon sufficient funds being available through the annual budgetary appropriation process.
The Commission VOTED: Approved.
The Secretary then submitted for signature Contract No. P87-1449-M5A, dated June 22, 1995, with Inchcape Testing Services Environmental Laboratories, which was signed by the Commissioner and four Associate Commissioners.

2. Report of Miss Overton, June 16, on behalf of the Proposal Review Committee, for the Revere Beach Reservation Parking Lot Program, recommending rejection of all proposals for the management and operation of the lot, to allow for a more environmentally sensitive use of the area.
The Commission VOTED: to reject all proposals for the management and operation of the Revere Beach Reservation Parking Lot, as recommended by Ms. Overton in her report of June 16, 1995.

3. Report of the Concession Selection Committee, June 21, recommending award of the mobile concession location at Carson Beach, South Boston, for the 1995 Season, to Boston Pushcart.
Compensation 10% of gross revenue.
The Commission VOTED: Approved.

4. Report of Mr. Broderick, June 22, on behalf of the Concession Selection Committee recommending award of the Mobile Concessions at Ward Bathhouse to Boston Pushcart and Breakheart Reservation to Sonny Boy Ice Cream, for the 1995 Season.
The Commission VOTED: to award the mobile concession for the 1995 season as follows -

LOCATION	**VENDOR**	**COMPENSATION**
Pearce Lake, Breakheart Reservation, Saugus	Sonny Boy Ice Cream	$4,310.25 for 1995 season

LOCATION	VENDOR	COMPENSATION
Nahant Beach, adjacent to the Ward Bathhouse, Nahant	Joe Bono Boston Pushcart	$2,050.00 for 1995 season.

Action was taken upon the following matter relating to the Reservations and Historic Sites Division:

1. Report of Mr. Broderick, June 13, requesting an increase in compensation in the amount of $2,000.00, on Contract-Agreement with John Roll Associates, Inc., for production of a Sign Manual, which increases the Contract cost from $5,750.00 to $7,750.00 to provide for certain changes in signage and graphics.
Account No. 2410-7872.
The Commission VOTED: Approved.

Action was taken upon the following matter relating to the Office of Planning:

2. Report of Mrs. O'Brien and Mr. Driscoll, June 21, requesting approval of, and authorization for Commissioner Balfour to execute on behalf of the Commission, a Sole Source Contract with Aquatic Control Technology, Inc., for Nuisance Aquatic Vegetation Management Program - Charles River Reservation Lakes District.
Cost not-to-exceed - $49,900.00.
Time for Performance - Seven Months.
Account No. 2410-7872.
The Commission VOTED: Approved.
The Commission further VOTED: authorization for Commissioner Balfour to execute on behalf of the Commission, a Sole Source Contract with Aquatic Control Technology, Inc., for Nuisance Aquatic Vegetation Management Program - Charles River Reservation Lakes District.

Action was taken upon the following matters relating to the Office of Real Property:

1. Report of Mr. Gray, June 19, recommending that the Commission adopt an Order of Taking for acquisition of approximately 110 acres of land owned by the Boston Minuteman Council, Inc., Boy Scouts of America, located in the Town of Milton, Massachusetts, and to approve an award of damages in the amount of $1,750,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2441-9886.
The Commission VOTED: to adopt an Order of Taking for acquisition of approximately 110 acres of land owned by the Boston Minuteman Council, Inc., Boy Scouts of America, located in the Town of Milton, Massachusetts.
Associate Commissioner Settles voted opposed to the Order of Taking.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 22, 1995.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Sections 33 and 79 of Chapter 92 of the General Laws, and Sections 30, 31 and 32 of Chapter 184 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and for park and reservation and protection of open space purposes, does hereby order the taking of and does hereby take under the provisions of Chapter 79 of the General Laws, a conservation restriction and easement in the name and for the benefit of the Commonwealth of Massachusetts, in the following described land situated in the Town of Milton in the County of Norfolk and Commonwealth of Massachusetts, namely:

A certain parcel of land in said Milton lying between Canton Avenue and Unquity Road, and bounded and described as follows:

SOUTHWESTERLY by land now or formerly of Baker, one thousand four hundred four and 24/100 (1,404.24') feet; thence

NORTHWESTERLY by said Baker land, four hundred fifty-one and 70/100 (451.70') feet; thence

SOUTHWESTERLY again by land now or formerly of Eustis, four hundred seventy-nine and 10/100 (479.10') feet; thence

EASTERLY and SOUTHERLY	by Blue Hills Reservation, nine hundred and 16/100 (900.16') feet; thence
EASTERLY and SOUTHEASTERLY	by land conveyed to the Commonwealth of Massachusetts by deed dated August 20, 1934, recorded with Norfolk County Registry of Deeds in Book 2038, Page 252, two thousand seven hundred eighteen and 53/100 (2,718.53') feet; thence
NORTHEASTERLY	by Blue Hills Parkway, two thousand fifteen and 36/100 (2,015.36') feet; thence
NORTHWESTERLY	by land now or formerly of Keegan and by land now or formerly of Beck, two thousand eight hundred thirty-two and 40/100 (2,832.40') feet, more or less, to the point of beginning.

Containing 110 acres, more or less, and being shown on a plan entitled "Plan of Land in Milton, Mass.," dated December 22, 1947, prepared by William S. Crocker, Civil Engineer, and recorded with said Deeds in Plan Book 144 as Plan No. 1267-1947. The total area of said parcel may contain 107.54 acres by estimate, as shown on Exhibits "A" and "B" attached hereto and incorporated herein for purposes of this order.

The aforementioned parcel is supposed to be owned by the following owner:

OWNER	RESTRICTION AREA TAKEN
Boston Minuteman Council, Inc., Boy Scouts of America	110 acres

Meaning and intending to take hereby a conservation restriction and easement in, on and to the above premises, howsoever the same may be bounded and described, and being the premises described in a deed from Elliott Henderson and Mary E. Merritt, as Trustees of Southac Trust, to Boston Council, Inc., Boy Scouts of America, dated December 21, 1950, and recorded with said Deeds in Book 2972, Page 246.

The above described property is known as "The Camp Sayre Reservation Boy Scout Camping and Training Facility", hereinafter referred to as "Camp Sayre", and is shown on the Town of Milton Assessors Tax Map L, Block 6, as Lot 28.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all such rights, including easements, privileges and appurtenances of every name and nature as may be necessary to give full force, virtue and effect, in perpetuity, to the restrictions on the use of the parcel of land hereinabove described, howsoever the same may be bounded and described, as set forth in the following provisions. The terms, conditions and restrictions of this order shall be binding upon and inure to the benefit of the Commonwealth of Massachusetts, acting through its Metropolitan District Commission, and the Boston Minuteman Council, Inc., Boy Scouts of America, as the successor by corporate merger to the Boston Council, Inc., Boy Scouts of America, and their respective successors and assigns.

I. Purpose.

The purpose of this restriction is to ensure that Camp Sayre shall be protected in perpetuity from ecological imbalance and environmental degradation, the destruction of wildlife habitats, and inappropriate land use activities. This restriction is intended to preserve the land in its existing natural, scenic and open space condition and to the greatest extent practicable; furthermore, this restriction is intended to limit the use of Camp Sayre solely to those activities which promote outdoor recreation, education and training. No other use of such land which is inconsistent with the terms and provisions of this order and Article 97 of the Amendments to the Constitution of the Commonwealth of Massachusetts, shall be permitted.

II. Management Plan.

It is the express requirement of this order, that the owner in fee of Camp Sayre shall prepare a Management Plan which shall be submitted to the Commission for its approval through its Division of Reservations and Historic Sites, which Management Plan shall be submitted within six (6) months from the date of July 7, 1995, and then resubmitted for approval on a regular basis and

continuing not less than once every five (5) years starting from the effective date of July 7, 1995, and as often within such five-year periods as the owner or owners of said premises shall deem prudent. The Management Plan shall define all activities, programs and capital improvements proposed for Camp Sayre, and the Commission shall, upon review and at its sole discretion, ensure that such programs and improvements do not adversely impact or otherwise violate the nature and intent of the terms and provisions set forth in this order. Upon approval by the Commission of the Management Plan, and each renewal, modification or replacement thereof, all activities, programs and capital improvements described therein shall be deemed to be consistent with the terms and provisions of this order, and permitted hereunder.

III. The Premises.

For purposes of this order, the aforementioned parcel shall comprise the "premises" and shall be referenced either as said premises or as "Camp Sayre"; furthermore, for purposes of the applicability of these restrictions and the enforcement of this order and its provisions, unless expressly excluded by its provisions and by reference to the attached Exhibits and/or by description, all such restrictions and provisions shall be deemed to apply to such premises.

IV. Prohibited Uses and Activities.

The following uses and activities shall not be permitted and are expressly prohibited by this order:

a. no construction or placing of buildings or structures or parts thereof, shall be permitted on that portion of the premises known as "Lot A" and shown on Exhibit "A" which is attached hereto and incorporated herein, and which is said to contain approximately either 100.27 or 97.27 acres; provided, however, that all such permanant and temporary buildings and structures or parts thereof (i) presently on site and erected for overnight camping purposes (ii) or otherwise identified from time to time within the Management Plan referenced in Section II of this order and approved for placement within Lot A by the Commission, shall be permitted;

b. no construction, operation, maintenance, repair, renovation and replacement of utilities or utility delivery systems not otherwise located on that portion of the premises known as Lot A as of the date of the recording of this order, shall be permitted; provided, however, that all such utilities and delivery systems presently on site or identifed within said Management Plan and approved for placement within Lot A by the Commission, shall be permitted;

c. no construction or placing of mobile structures, asphalt or concrete or other pavement, signs not related to the use of the trails or the Permitted Uses and Activities set forth in Section V below, billboards or other advertising displays, antennae, towers, or equipment, shall be permitted;

d. no excavation, dredging or removal of loam, peat, gravel, soil, rock or other mineral substance, shall be permitted, except as necessary to maintain the premises;

e. no storage, stockpiling, or use of hazardous materials, petroleum products, pesticides and herbicides, shall be permitted;

f. no storage, stockpiling, or use of manure and fertilizers shall be permitted, except for those Permitted Uses and Activities set forth in Section V below;

g. no storage, dumping or placing of refuse, trash, vehicles or parts of vehicles, rubbish, debris, junk, solid or liquid waste, or unsightly or offensive material, shall be permitted;

h. no sheltering of livestock or animals shall be permitted on that portion of the premises known as Lot A;

i. no commercial timber harvesting or tree cutting shall be permitted, unless such harvesting or cutting is approved by and conducted under the supervision of the MDC Division of Reservations and Historic Sites, its successors or assigns, and in compliance with all applicable local and state laws, regulations and ordinances;

j. no other acts or uses which would in any way alter, destroy, modify or detract from the preservation and protection of the premises in its natural state;

k. no other acts or uses which would in any way alter, destroy, modify or detract from the preservation and protection of archaeologically or historically significant features, areas or cultural resources, located on said premises, shall be permitted;

l. no other acts or uses which alter, or are detrimental to, the existing drainage patterns, flood control, flood plains, wetlands, soil and water conservation, or which result in erosion, siltation or the discharge of pollutants, shall be permitted; and

m. no other acts or uses detrimental to such premises, and no activities, programs or improvements which are not directly related to outdoor recreational, educational and training purposes, as determined by the duly authorized representatives of said Commission, its successors or assigns or such other authority which shall for any time legally control or hold said restriction and easement.

V. Permitted Uses and Activities.

The following uses and activities shall be permitted, as such are deemed consistent and compatible with the present use of said premises as a camping and training facility for the development and presentation of the programs and mission of the Boy Scouts of America, and as such are identified and continue to be identified in the appropriate Management Plan as programs, activities and capital improvements duly approved by the Commission:

a. the use, maintenance, repair, renovation and replacement of all buildings, structures, facilities, fencing and other improvements located on that portion of the premises known as Lot B and containing approximately 10.27 acres and shown on Exhibit B, including but not limited to, a new training center and administration building, an in-ground swimming pool, shower house facilities, lodges, cabins, adirondacks, tent platforms, tenting areas, storage facilities and parking areas, shall be permitted; provided, however, that the placing and construction of new and additional buildings, structures, facilities, and parking areas and any related improvements within Lot B following the effective date of July 7, 1995, shall be subject to the Management Plan as submitted and approved in accordance with Section II of this order;

b. the use, maintenance, repair, renovation and replacement of all existing buildings, structures, facilities, and other improvements located on that portion of the premises known as Lot A and containing approximately either 100.27 acres or 97.27 acres and shown on Exhibit A, as such are required for overnight camping and training and other programmatic purposes, shall be permitted; provided, however, that the placing and construction of any new and additional buildings, structures, facilities, or other related improvements, shall be subject to the aforesaid Management Plan and as such shall be strictly limited, in accordance with the intent of this Commission that said Lot A should remain in its natural and unimproved state;

c. the construction, installation, maintenance, repair, renovation and replacement of utilities and utility delivery systems and related improvements within the configuration of said Lot B, shall be permitted, including but not limited to the following:

(i) septic systems and/or sanitary sewage lines and pipes, and appurtenances, provided that the location thereof shall not have a deleterious impact on the premises and provided further that such lines and pipes shall not be sited on Lot A unless it is determined by the Commission to be otherwise unavoidable for the health and safety of the Camp Sayre community and the public at large; and

(ii) water, electric, gas, telephone and other utility lines, equipment, structures and appurtenances; provided, however, that a well or wells may be driven or drilled on Lot A and lines and pipes installed to serve as a water supply for the premises.

d. the sheltering of animals and livestock, including horses, and animal husbandry operations, as such relate to outdoor recreational and educational pursuits, shall be permitted, but solely within the configuration of said Lot B;

e. animals and livestock, including horses, shall be permitted to graze only within defined areas located on the premises, as designated within the said Management Plan;

f. sound agricultural, horticultural and silvicultural management practices, shall be permitted and encouraged, including selective pruning and cutting, the harvesting of trees for firewood, and the stockpiling and composting of such and similar biodegradable materials, provided such practices do not have a deleterious impact on the premises;

g. the use, storage and stockpiling of manure and fertilizers shall be permitted, but only within the confines of Lot B;

h. the installation and maintenance of trail signs and interpretive kiosks and other appropriate signage, shall be permitted;

i. the maintenance of roads and trails substantially in their present condition or as reasonably necessary for safe and authorized use, shall be permitted; and

j. all activities or programs specified in the Management Plan as submitted and approved in accordance with Section II of this order, shall be permitted, as such promote the use of the premises for the purposes of outdoor recreation, education and training, including but not limited to, camping, fishing, hiking, horseback-riding, cross-county skiing, and other active and passive pursuits.

VI. Limited Access Rights.

The conservation restriction and easement hereby taken, grants the Commission, its successors and assigns, the right to enter upon the land hereinabove described at reasonable times for the purpose of inspecting said land and enforcing the foregoing restrictions and remedying any violations of same, but does not grant the public any such rights. This right shall be in addition to any other remedies available to the Commission, its successors, assigns or other authority, for the enforcement of the foregoing restrictions, and for the remedying of any violations of same at the sole expense of the owner. All other customary rights and privileges of ownership shall be retained by the owner, including the right to privacy.

The Commission hereby reserves the right to enter upon the premises and to erect and from time to time replace, at appropriate locations near the boundaries of the premises with its Blue Hills Reservation, mutually acceptable signage which identifies the Commission as the holder of this conservation restriction.

The Commission also hereby reserves the right to allow limited public access to the premises, but upon the following terms and conditions:

a. access to the premises by the public shall be limited to organized nature, conservation, education and other similar groups approved by the Commission and whose purposes and programs are consistent and compatible with the purpose of this restriction;

b. access shall be conditioned upon the issuance of a permit, or the confirmation of a reservation, by the Boston Minuteman Council, Inc., Boy Scouts of America, upon prior notice, by telephone or in writing, of at least three (3) business days;

c. any such group permitted access to the premises shall be accompanied at all times by at least two (2) adults, one of whom must be at least twenty-one (21) years of age and the other of whom must be at least eighteen (18) years of age, and whenever possible, at least one of said adults may be a park ranger employed by the Metropolitan District Commission;

d. any such group permitted access shall not be restricted by any age or other physical requirement or impairment, provided that the owner of said premises shall have no obligation not otherwise required by law to undertake any measures to ensure compliance with the provisions of the Americans with Disabilities Act which are triggered solely by reason of the limited public access rights set forth in this section; and

e. the said owner in all ways retain the right, upon prior notice of at least one (1) day by telephone or in writing to the Commission, to restrict or deny access to such a group on any occasion when a scheduling or some other conflict arises, but the owner must use due diligence and its best effort to resolve such a conflict and reschedule the visit.

VII. Liability.

The Boston Minuteman Council, Inc., Boy Scouts of America, shall retain all responsibilities and shall bear all costs and liabilities of any kind related to the ownership, operation, maintenance and repair of the premises, including the maintenance of comprehensive general liability insurance coverage sufficient to conform to the prevailing standards of the industry and prudent business management.

VIII. Single Parcel.

It is the intent of the Commission that for the purpose of determining compliance with any present or future By-law, order or regulation of the Town of Milton which affects the use which lawfully may be made of any land in the Town of Milton, the premises shall continue to constitute and be treated as a single parcel, and shall not, by virtue of the existence of this order, be deemed to constitute separate subdivided parcels of land; therefore, the entirety of the premises, without regard to the existence of this conservation restriction, shall be taken into account in determining whether the premises complies with any such By-law, order or regulation, and shall be taken into account to satisfy in whole or in part any requirement of any such By-law, order or regulation affecting any use which may lawfully be made of the premises, or any area, density, setback or other dimensional standard applicable to the premises. A survey plan prepared for the Boston Minuteman Council, Inc., Boy Scouts of America, by Paul Casey, delineating the parcels referenced within this order, shall be recorded with the Norfolk District Registry of Deeds at a later date and made a part of this order.

IX. Applicable Laws.

Nothing within this order shall be construed to permit or otherwise allow the owner of said Camp Sayre to waive or disregard compliance with the then-current Zoning By-Law of the Town of Milton, the Wetlands Protection Act (General Laws Chapter 131, Section 40, as amended) and all other applicable federal, state and local laws and regulations. This order shall be governed by and interpreted in accordance with the laws of the Commonwealth of Massachusetts.

X. Acts Beyond the Control of the Owner.

Nothing within this order shall be construed to entitle the Commonwealth of Massachusetts to bring any action against the owner of said premises, for any injury to or change in the premises resulting from causes beyond the control of the owner, including but not limited to, fire, flood, storm, earth movement, and acts caused by trespass on the premises not contributed to by acts or omissions of the owner, or from any prudent action taken by the owner under emergency conditions to prevent, abate, or mitigate significant injury to the premises resulting from such causes.

XI. Estoppel Certificates.

Upon request by the Boston Minuteman Council, Inc., Boy Scouts of America, the Metropolitan District Commission, shall execute and deliver any document, including an estoppel certificate, within twenty-one (21) days of delivery, which certifies compliance by the owner with any obligation or provision set forth within this order, and which otherwise evidences the status of this conservation restriction as may be requested by the owner.

XII. Notice and Approval.

Whenever notice to or approval by the Metropolitan District Commission is required under the provisions of this document or for any other reason, the owner shall provide notice to said Commission not less than sixty (60) days prior to the date the owner intends to undertake such activity which so requires notice or approval, or not less than sixty (60) days prior to the date the owner intends to undertake any activity which may conflict or otherwise be considered questionable by a prudent person interpreting the provisions of this order and the Management Plan. The notice shall describe the nature, scope, design, location timetable and any other material aspect of the proposed activity in sufficient detail to permit the Commission to make an

informed judgment as to its consistency and compatibility with the purpose and the provisions of this order and the attendant Management Plan. When the approval of the Commission is required, the Commission shall not unreasonably withhold or condition such approval, and shall grant or withhold its approval in writing within sixty (60) days of the receipt of the written request. All notices and other communications required or permitted to be given hereunder shall be in writing and shall be effective: (i) on the date of delivery if hand-delivered; (ii) three (3) business days after such notice or other communication has been mailed, postage prepaid, by registered or certified mail (return receipt requested), (iii) one (1) business day after delivery by Federal Express or some other overnight courier, delivery charges prepaid; or (iv) one (1) business day after transmittal by facsimile machine to a facsimile machine owned or used by intended recipient and the telephone link has been verified by such machine or machine operator.

The concurrence of the Park and Recreation Commissioners or the Board of Selectmen of the Town of Milton, pursuant to section 79 of the Chapter 92 of the General Laws, as amended, is either attached hereto or shall be recorded with said Deeds and made a part of this order.

The Commission awards damages sustained by the owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Boston Minuteman Council, Inc. Boy Scouts of America	$ 1,750,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $1,750,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.
Associate Commissioner Settles voted opposed to the award of damages.

1. Report of Mr. Gray, June 19, recommending that the Commission adopt an Order of Taking for acquisition of approximately 2.51 acres of land owned by Bay State Paper Company or the Trust for Public Land, located in the Town of Milton, Massachusetts, and to approve an award of damages in the amount of $340,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.
Account No. 2441-9886.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 2.51 acres of land owned by Bay State Paper Company or the Trust for Public Land, located in the Town of Milton, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 22, 1995.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, and Sections 33 and 79 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for park and reservation and protection of open space purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Milton in the County of Norfolk and Commonwealth of Massachusetts, namely:

That certain parcel of land on Truman Highway in Milton, Norfolk County, Massachusetts containing 2.51 acres, more or less, and shown as Lot 8 on a plan entitled "Plan of Land in Boston (Hyde Park) & Milton, Mass. prepared for Patriot Paper Corporation", dated July 18, 1990 and filed with Norfolk County Registry of Deeds as Plan 602 (2 of 2) in Plan Book 394.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Truman Highway and/or the Neponset River which may be held by the supposed owners, and being the same premises described as Lot 8 in a deed from the James River Paper Company, Inc. to Patriot Paper Corporation, dated August 15, 1990, and recorded with Norfolk Registry of Deeds at Book 8715, Page 5.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said lands, and excluding all easements of record on, over, under, across and through said land.

The concurrence of the Park and Recreation Commissioners of the Town of Milton, pursuant to section 79 of Chapter 92 of the General Laws, as amended, is either attached hereto or shall be recorded with said Deeds and made a part hereof.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Bay State Paper Company, or The Trust for Public Land	$ 340,000.00

The Commission further VOTED: to approve an award of damages in the amount of $340,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

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1. Report of Mr. Gray, June 19, recommending that the Commission adopt an Order of Taking for acquisition of approximately 96.68 acres of land owned by Jordan Servicenter, Inc., located in the City of Quincy, Massachusetts, and to approve an award of damages in the amount of $250,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2441-9886.
The Commission VOTED: to adopt an Order of Taking for acquisition of approximately 96.68 acres of land owned by Jordan Servicenter, Inc., located in the City of Quincy, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 22, 1995.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, and Sections 33 and 79 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for park and reservation and protection of open space purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the City of Quincy in the County of Norfolk and Commonwealth of Massachusetts, namely:

Two certain parcels of land on Commander Shea Boulevard, more particularly bounded and described as follows:

PARCEL 1.

A certain parcel of land, containing 83.36 acres by survey, bounded on the west by the Neponset River, on the north by Squantum Point Park, land now of the Commonwealth and formerly of Boston Edison Company, on the east by other lands now or formerly of Federated Department Stores, Inc., known as "Jordan Servicenter, Inc.," and Parcel "A" another plot in the same ownership, and partially by the westerly line of Commander Shea Boulevard, a private way, and southerly by land said to be owned by the Massachusetts Bay Transportation Authority.

Beginning at a point at the southerly corner of said lot on the west side of Commander Shea Boulevard;

THENCE north 40° 11′ 38" W., one thousand ten (1,010) feet, more or less to a point at the Neponset River, (the extreme low water mark of 1888);

THENCE northerly along the Neponset River, (the extreme low water mark of 1888), five thousand four hundred and forty five (5,445) feet more or less to a point;

THENCE north 79° 21′ 56" E., one thousand two hundred thirty eight (1,238) feet, one or less to a point;

THENCE south 34° 12′ 19" E., one hundred ninety one and twenty six hundredths (191.26) feet, to a point;

THENCE south 26° 48′ 41" E., five hundred twenty eight and twenty five hundredths (528.25) feet, to a point;

THENCE south 79° 20′ 56" W., six hundred twenty and fifty hundredths (620.50) feet, to a point;

THENCE south 24° 01′ 56" E., five hundred ninety five and ten hundredths (595.10) (593.17) feet, to a point;

THENCE south 36° 21′ 06" E., one thousand one hundred thirty eight and twelve hundredths (1,138.12) feet to a point;

THENCE south 24° 17′ 30" E., four hundred seventy seven and seventy nine hundredths (477.79) feet, to a point;

THENCE north 79° 22′ 46" E., eight hundred five and forty four hundredths (805.44) feet, to a point;

THENCE south 00° 19′ 43" E., eight hundred ninety six and forty seven hundredths (896.47) feet to a point;

THENCE southerly on a curve to the right with a radius of three hundred ninety eight and fifty one hundredths (398.51) feet and a length of one hundred fifty eight and seventy three hundredths (158.73) feet to a point;

THENCE southerly 22° 29′ 33" W., nine hundred sixty seven and thirty nine hundredths (967.39) feet to a point;

THENCE north 67° 30′ 27" W., one hundred eighty eight and twenty six hundredths (188.26) feet to a point;

THENCE south 22° 34′ 55" W., five hundred seven and seventy two hundredths (507.72) feet to a point;

THENCE south 65° 05′ 01" E., one hundred eighty eight and eighteen hundredths (188.18) feet to a point;

THENCE southwesterly on a curve to the right with a radius of five hundred fifty five and fifty eight hundredths (555.58) feet and a length of two hundred forty one and forty four hundredths (241.44) feet to a point;

THENCE south 49° 48′ 22" W., two hundred and eighty seven and twenty one hundredths (87.21) feet to a point;

THENCE southwesterly on a curve to the right with a radius of one hundred twenty eight and four hundredths (128.04) feet and a length of fifty one and thirty one hundredths (51.31) feet to the point of beginning.

Said lot having an area of 83.36 acres more or less.

Parcel 2.

A certain parcel of land, containing 13.32 acres by survey, bounded on the north and west by land, now or formerly, of the Boston Marina Company, on the south by land of the United States of America, known as remaining lands of the former Squantum Point Naval Air Station, and on the east by the westerly line of Commander Shea Boulevard, a private way.

Beginning at a point at the southwest corner of said lot, on the east side of Commander Shea Boulevard;

THENCE northerly on a curve to the left with a radius of four hundred sixty five and fifty six hundredths (465.56) feet and a length of one hundred eighty six and twenty three hundredths (186.23) feet to a point;

THENCE north 02° 41′ 09" E., seven hundred seventy eight and seventy one (778.71) hundredths feet to a point;

THENCE south 55° 32′ 58" E., one thousand five hundred fifty three and six hundredths (1553.06) feet to a point;

THENCE south 47° 32′ 53" W., two hundred twenty and sixty five hundredths (220.65) feet to a point;

THENCE south 37° 45′ 43" E., four hundred seven and ninety nine hundredths (407.99) feet to a point;

THENCE north 86° 45′ 08" W., two hundred twelve and seventy nine hundredths (212.79) feet to a point;

THENCE north 71° 43′ 08" W., forty eight and seventy two hundredths (48.72) feet to a point;

THENCE north 60° 43′ 08" W., forty five and ninety three hundredths (45.93) feet to a point;

THENCE north 51° 14′ 08" W., seventy one and twenty three hundredths (71.23) feet to a point;

THENCE north 43° 13′ 48" W., two hundred forty eight and fifty one hundredths (248.51) feet to a point;

THENCE north 46° 00′ 06" E., nine and forty eight hundredths (9.48) feet to a point;

THENCE north 23° 09′ 16" W., one hundred fifty nine and twenty one hundredths (159.21) feet to a point;

THENCE north 55° 44′ 16" W., seven hundred seventy two and seventy nine hundredths (772.79) feet to a point;

THENCE westerly on a curve to the left with a radius of twenty three and thirty hundredths (23.30) feet and a length of eighteen and seventeen hundredths (18.17) feet to a point;

THENCE southwesterly on a curve to the left with a radius of thirty and thirty seven hundredths (30.37) feet and a length of eighteen and nineteen hundredths (18.19) feet to a point;

THENCE south 23° 21′ 10" W., one hundred seventy seven and ninety one hundredths (177.91) feet to a point;

THENCE southerly on a curve to the left with a radius of twenty five and sixty hundredths (25.60) feet and a length of twenty and eighty seven hundredths (20.87) feet to a point;

THENCE south 23° 21′ 52" E., eighteen and eighty nine hundredths (18.89) feet to a point;

THENCE southeasterly on a curve to the left with a radius of forty three and five hundredths (43.05) feet and a length of forty and nine hundredths (40.09) feet to a point;

THENCE south 07° 11′ 04" E., twenty and twelve hundredths (20.12) feet to a point;

THENCE south 76° 38′ 19" W., nineteen and seventy seven (19.77) feet to a point;

THENCE south 73° 58′ 57" W., twenty nine and eighty three hundredths (29.83) feet to a point;

THENCE southwesterly on a curve to the left with a radius of one hundred thirty four and fifty six hundredths (134.56) feet and a length of thirty eight and ninety for hundredths (38.94) to a point;

THENCE southwesterly on a curve to the left with a radius of ten and sixty hundredths (10.60) feet and a length of six and forty four hundredths (6.44) feet to a point;

THENCE south 21° 36′ 52" W., one hundred ninety and seventy nine hundredths (190.79) feet to the point of beginning.

Said lot having an area of approximately 13.33 acres

Both parcels described above, containing a total area of 96.68 acres, more or less, comprise a portion of Lot 6 on Land Court Plan No. 27744B, dated September 6, 1966, and filed with Certificate of Title No. 81754, and are shown upon a plan entitled "Taking Plan of Land - Being a Subdivision of the remainder of Lot 6 as Shown on Land Court Plan No. 27744B - Commander Shea Boulevard Quincy, MA - Prepared for: Commonwealth of Massachusetts M.D.C. [Metropolitan District Commission]" prepared by Daylor Consulting Group, Inc., and dated June 20, 1995. A reduced copy of a plan delineating the general configuration of the perimeter of both parcels described above, prepared by Daylor Consulting Group, Inc., dated May 26, 1995, and labeled EXHIBIT "A", is appended to this instrument and made a part thereof. Upon review and approval by the Land Court, the said plan dated June 20, 1995, delineating the parcels as described above, shall be filed with the Norfolk Registry District of the Land Court, and made a part hereof.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all rights and easement interests in and to Commander Shea Boulevard which may be held by the Commonwealth of Massachusetts as a result of this order and the acquisition of said Squantum Point Park to allow ingress and egress to said Park along said Boulevard, and being a portion of the same premises described in Land Court Certificate No. 89021, registered with the Norfolk District Registry of Deeds at Book 446, Page 21, and shown upon Plan 27744 B, recorded with Certificate No. 81754.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said lands, and excluding all easements of record on, over, under, across and through said land.

The Commission hereby grants the owner of record the right to pass and repass over and through that area of the premises containing 11.64 acres, more or less, shown as Lot 47 on said Taking Plan, for all purposes consistent and compatible with the permitted and zoned uses for the remaining property held by said owner, which right shall run with the land and bind and inure all parties.

The concurrence of the Park and Recreation Commissioners of the City of Quincy, pursuant to section 79 of Chapter 92 of the General Laws, as amended, is either attached hereto or shall be recorded with said Deeds and made a part hereof.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sums:

OWNER	AWARD
Jordan Servicenter, Inc.	$ 250,000.00

The Commission further VOTED: to approve an award of damages in the amount of $250,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, June 19, recommending that the Commission adopt an Order of Taking for acquisition of approximately 1.428 acres of land owned by Nondas Lagonakis, et al, Trustees of N & C Realty Trust, located in the City of Lynn, Massachusetts, and to approve an award of damages in the amount of $350,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A, and to further authorize the use of a portion of such damages and costs to fund the removal of contaminated materials from said property in an amount to be determined. Account No. 2441-9886.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 1.428 acres of land owned by Nondas Lagonakis, et al, Trustees of N & C Realty Trust, located in the City of Lynn, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 22, 1995.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, and Sections 33 and 79 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for park and reservation and protection of open space purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the City of Lynn in the County of Essex and Commonwealth of Massachusetts, namely:

Three certain parcels of land in said Lynn, being bounded and described as follows:

Parcel 1.

The land being shown as Lot A on a Plan entitled "Plan of Land belonging to Edith L Orcutt, situated in Lynn Massachusetts, dated September 22, 1917, Eastman and Bradford, Civil Engineers", bounded and described as follows:

NORTHWESTERLY: by Boston Street, twenty-eight and right-six one hundredths (28.86) feet;
NORTHEASTERLY: by land now or formerly of Vray, one hundred eight and seventy-one hundredths (108.71) feet;
SOUTHEASTERLY: by the Saugus River, thirty-three and ninety-one one hundredths (33.91) feet;

SOUTHWESTERLY: by Lot B on said plan, one hundred eight and thirty-nine one hundredths (108.39) feet.

Containing 3,405 square feet of land, according to said plan, together with the privilege of a right of way 1.6 feet wide extending for a distance of thirty-eight (38) feet from Boston Street along the southwesterly side of Lot A. Said premises also conveyed subject to such rights as may have been acquired therein by the owner of the premises adjoining on the northeasterly side by virtue of any projection of the building on said adjoining premises over the described premises.

The plan above mentioned is actually recorded with Essex South District Registry of Deeds in Plan Book 55, Plan 4 and the projection above mentioned is shown thereon.

Being the same premises conveyed to the Trustees of N & C Realty Trust by a deed from the N & C Realty Corp., dated October 5, 1988, and recorded with the Essex South District Registry of Deeds, in Book 9713, Page 223.

Parcel 2.

The land in Lynn, now known as 840-848 Boston Street, shown as Lot B on a plan made by Eastman and Bradford, C. E., dated September 22, 1917 and with the Essex South District Registry of Deeds Book, 55, Plan 4. Said lot is bounded:

WESTERLY: by Boston Street, twenty-five and 32/100 (25.32) feet;
NORTHERLY: by Lot A., as shown on said plan, One hundred eight and 39/100 (108.39) feet;
EASTERLY: by Saugus River, thirteen and 33/100 (13.33) feet; and
SOUTHERLY: by Saugus River, one hundred eight and 66/100 (108.66) feet:

Being Lot B as shown on the above mentioned plan and the land lying between Lot B and the Saugus River.

Said premises are acquired together with a right of way, one and 6/10 feet wide along the northerly line of said Lot B, extending for thirty-eight feet from Boston Street, and with privileges of a right of way, one and 6/10 feet wide along the Southerly Line of said Lot A, for a distance of thirty-eight feet from said Boston Street, as shown on said plan.

Being the same premises conveyed to the Trustees of N & C Realty Trust by a deed from N & C Realty Corp,. dated October 5, 1990, and recorded with the Essex South District Registry of Deeds in Book 9713 and Page 226.

Parcel 3.

The land in Lynn, now known as 832-834 Boston Street, bounded and described as follows:

WESTERLY: by Boston Street, thirty-four and 35/100 (34.35) feet;
NORTHERLY: by land now or formerly of Harmon Hall, ninety-six and 3/10 (96.3) feet;
EASTERLY: by land now or formerly os Sweetser, forty-four and 6/10 (44.6) feet and;
SOUTHERLY: by land now or formerly os said Sweetser, one hundred two (102.00)feet

Also, another parcel of land with buildings thereon situated in said Lynn, bounded and described as follows:

WESTERLY: by Boston Street, and three rods (65.34) and twenty four links;
NORTHERLY: by land of the Boston & Main Railroad, five rods and twelve links (90.42):
EASTERLY: by marsh land formerly of John Raddin, four rods and ten links: and
SOUTHERLY: by land and wharf formerly of Charles Sweetser, five rods and ten links (89.10):

Also, about two acres of marsh land adjoining said Railroad and Lying Southeasterly of the foregoing described premises and purchased by Alfred C. Hill of Freeman H. Woodbridge, by deed dated April 15, 1906 and recorded with Essex South District Registry of Deeds Book 1820, Page 524.

Being the same premises conveyed to the Trustees of N & C Realty Trust by deed of N & C Realty Corp., dated October 5, 1988, and recorded with the Essex South District Registry of Deeds in Book 9731, Page 229.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Boston Street which may be held by the supposed owners, and also including any and all additional land which may now comprise the premises due to accretion as of the date of the recording of this order.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said lands, and excluding all easements of record on, over, under, across and through said land.

The Commission hereby authorizes the use of a portion of the damages awarded hereunder, to fund the removal of contaminated materials from the premises, in an amount to be determined by the Commission. Any and all proceeds remaining from the portion of such damages and costs retained but not otherwise required for site remediation, shall be tendered to the supposed owners of record after such remediation has been completed.

The concurrence of the Park and Recreation Commissioners of the City of Lynn, pursuant to section 79 of Chapter 92 of the General Laws, as amended, is either attached hereto or shall be recorded with said Deeds and made a part hereof.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
Nondas Lagonakis and Costas Linardos, Trustees of the N & C Realty Trust	$ 350,000.00

The Commission further VOTED: to approve an award of damages in the amount of $350,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A, and to further authorize the use of a portion of such damages and costs to fund the removal of contaminated materials from said property in an amount to be determined.

1. Report of Mr. Gray, June 21, recommending that the Commission adopt an Order of Taking for acquisition of approximately 10.002 acres of land owned by the Port Norfolk Condominium, Inc., et al, located in the City of Boston, Massachusetts, and to approve an award of damages in the amount of $560,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2441-9886.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 10.002 acres of land owned by the Port Norfolk Condominium, Inc., et al, located in the City of Boston, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 22, 1995.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, and Sections 33 and 79 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for park and reservation and protection of open space purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the City of Boston in the County of Suffolk and Commonwealth of Massachusetts, namely:

Two certain parcels of land shown as Parcel 1C and Parcel 2 on a plan of land entitled "Division of Land, The Estuary at Port Norfolk Condominium, Dorchester, Massachusetts," prepared by Bostwick Engineering, Inc., dated July 6, 1995, and prepared for the Metropolitan District Commission, which plan is recorded with the Suffolk County Registry of Deeds at the End of Book 19867 and made a part of this order. Parcel 1C contains 2.76 acres, and Parcel 2 contains 7.23 acres, as shown on said plan.

Parcel 1.

Beginning at a point in the southwesterly corner of the herein described parcel referenced above as Parcel 1C, in the easterly sideline of Walnut Street, said point also being the southwesterly corner of land now or formerly owned by Edward J. Nolan, Jr., thence turning and running;

N 84° 49′ 50" E	a distance of one hundred twenty and 00/100 (120) feet by said Nolan land to a point; thence
N 03° 49′ 50" E	a distance of two hundred seventy two and 34/100 (272.34) feet by said Nolan land and by lands now or formerly owned by Frank M. & Mary B. Kodzis and James J. Maloney to a point; thence
S 82° 39′ 28" E	a distance of three hundred forty three and 34/100 (343.34) feet by Lots 1A and 1B to a point; thence
S 53° 06′ 32" E	a distance of eight and 87/100 (8.87) feet by Lot 2 to a point; thence
S 05° 30′ 43" W	a distance of thirty nine and 23/100 (39.23) feet by Lot 2 to a point; thence
S 03° 35′ 17" W	a distance of ninety two and 60/100 (92.60) feet by Lot 2 to a point; thence
S 14° 01′ 23" E	a distance of forty eight and 32/100 (48.32) feet by Lot 2 to a point; thence
S 01° 52′ 12" E	a distance of thirty five and 36/100 (35.36) feet by Lot 2 to a point; thence
S 02° 24′ 07" E	a distance of thirty and 66/100 (30.66) feet by Lot 2 to a point; thence
S 03° 28′ 27" E	a distance of thirty four and 50/100 (34.50) feet by Lot 2 to a point; thence
S 08° 04′ 26" E	a distance of thirty six and 11/100 (36.11) feet by Lot 2 to a point; thence
S 17° 44′ 08" E	a distance of twenty six and 43/100 (26.43) feet by Lot 2 to a point; thence
S 84° 49′ 50" W	a distance of one hundred sixty and 66/100 (160.66) feet by land owned by the Commonwealth of Massachusetts to a point; thence
N 05° 10′ 10" W	a distance of one hundred six and 70/100 (106.70) feet by land of said Commonwealth to a point; thence
S 84° 49′ 50" W	a distance of three hundred forty and 00/100 (340) feet by land of said Commonwealth to a point; thence
S 03° 55′ 50" W	a distance of forty five and 29/100 (45.29) feet along the easterly sideline of Walnut Street to the point of beginning.

Said parcel contains 120,039 square feet or 2.76 acres of land more or less and is shown as Lot 1C on the above referenced plan, and is a portion of that parcel shown as Parcel 1 on the condominium site plan recorded with the Master Deed with Suffolk County Registry of Deeds in Book 14745, Page 139.

Parcel 2.

Said Parcel 2 shown on the above referenced plan, is the same parcel shown as Parcel 2 on the condominium site plan recorded with the Master Deeds with Suffolk County Registry of Deeds in Book 14745, Page 139, and contains 314,871 square feet or 7.23 acres of land more or less.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Walnut Street which may be held by the supposed owners.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said lands, and excluding all easements of record on, over, under, across and through said land.

The concurrence of the Park and Recreation Commissioners of the City of Boston, pursuant to section 79 of Chapter 92 of the General Laws, as amended, is either attached hereto or shall be recorded with said Deeds and made a part hereof.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
The Port Norfolk Condominium, Inc., et al	$ 560,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $560,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, June 21, recommending that the Commission adopt an Order of Taking for acquisition of approximately 23.5 acres of land owned by Eugene R. Chamberlain, et al, Temporary Co-Executors under the will of Elizabeth H. Thompson, located in the Town of Hingham, Massachusetts, and to approve an award of damages in the amount of $1,100,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2441-9886.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 23.5 acres of land owned by Eugene R. Chamberlain, et al, Temporary Co-Executors under the will of Elizabeth H. Thompson, located in the Town of Hingham, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 22, 1995.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, and Sections 33 and 79 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for park and reservation and protection of open space purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Hingham in the County of Plymouth and Commonwealth of Massachusetts, namely:

A certain parcel of land in said Hingham, located on Union Street, and containing approximately 23.5 acres, and being more particularly described in a deed from Francis J. Thompson to Francis J. Thompson, et ux, dated September 30, 1966, and recorded with the Plymouth County Registry of Deeds in Book 3327, Page 645.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Union Street which may be held by the supposed owners, solely for passive park purposes, and being the same premises described in the above cited deed.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said lands, and excluding all easements of record on, over, under, across and through said land.

The concurrence of the Park and Recreation Commissioners or the Board of Selectmen of the Town of Hingham, pursuant to section 79 of Chapter 92 of the General Laws, as amended, is either attached hereto or shall be recorded with said Deeds and made a part hereof.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
Eugene R. Chamberlain and Thomas L. P. O'Donnell, Temporary Co-Executors u/t/w of Elizabeth H. Thompson Plymouth County Probate Docket No. 94P1100-EPI	$ 1,100,000.00

The Commission further VOTED: to approve an award of damages in the amount of $1,100,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

Adjourned at 10:30 a.m., to meet on Thursday, July 13, 1995, at 9:00 AM.

William F. Chisholm
Secretary

Record of the Three Thousand Seven Hundred and Thirty Fifth (3735th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, July 13, 1995 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Settles and Wu.

The Records of the Commission Meeting held on June 15, 1995 were read and approved.

The Secretary submitted for signature the following paper which was signed by the Commissioner and four Associate Commissioners:

1. Contract No. P95-1805-C1B, dated July 13, 1995, with G.V.W., Inc., for Installation of New Dasherboards at the William F. Devine Ice Skating Rink, Dorchester.

Action was taken upon the following matters relating to the Engineering and Construction Division:

2. Report of Mr. Faucher and Miss Pfetsch, June 30, requesting a $1,650.00 increase in compensation on Contract No. P94-1749-D1A, with David P. Handlin and Associates, for Design Services for Captain's House Renovations, South Region Headquarters, Blue Hills, to provide for a site survey of the property.
Account No. 2440-4890.
The Commission VOTED: Approved.

3. Report of Messrs. Faucher and Sacco, June 29, recommending approval of a revision in quantities on Item No. 003-010 - Repairs to Cement Concrete - at a cost of $3,065.00, on Contract No. P95-1786-C1B, with B.S.A. Painting Co., Inc., for Sandblast/Paint Everett, Chelsea and Stoneham Wading Pools. (At no increase in Contract cost as the revision will be offset by unused quantities in Item No. 001-010 - Sandblast/Paint Everett Pool).
The Commission VOTED: Approved as recommended by Messrs. Faucher and Sacco in their report of June 29, 1995.

4. Report of Messrs. Faucher and Soroka, June 27, recommending approval of the following revisions in quantities on Contract No. P95-1771-C1A, with Coviello Electric and General Contracting Co., Inc., for Installation of Mid-Block Pedestrian Signal, Day Boulevard, at the Carson Beach Bathhouse, South Boston -
Item No. 017-010 - Cement Concrete Sidewalks - $660.00
Item No. 021-010 - Granite Edgestone - $300.00
(At no increase in Contract cost as the revisions will be offset by unused quantities in Item No. 027-010 - Traffic Control Service).
The Commission VOTED: Approved as recommended by Messrs. Faucher and Soroka in their report of June 27, 1995.

Action was taken upon the following matters relating to the Watershed Management Division:

1. Report of Messrs. McGinn and Orfant, June 30, requesting approval of an Amendment to Contract No. WM95-080-X1A, with Clean Harbors, Inc., for Wachusett Watershed Pilot Household Hazardous Waste Collection, to include a clean-up of hazardous materials in storage at the Wachusett Lab in Clinton.
(At no increase in Contract cost).
The Commission VOTED: Approved.

2. Report of Mr. McGinn, June 21, submitting for approval and authorization for Commissioner Balfour to execute, on behalf of the Commission, Agreement between the MDC - Division of Watershed Management - and the Town of Rutland, for the provision of technical assistance under the Watershed Protection Act.
The Commission VOTED: Approved.
The Commission further VOTED: authorization for Commissioner Balfour to execute, on behalf of the Commission, Agreement between the MDC - Division of Watershed Management - and the Town of Rutland, for the provision of technical assistance under the Watershed Protection Act.

Action was taken upon the following matters relating to the Recreational Facilities and Programs Division:

3. Report of Mr. Doak, July 6, submitting for approval and execution a License Agreement between the MDC and the City of Somerville for use of the Boathouse at the Mystic River Reservation for a period of five years.
The Commission VOTED: Approved.
The Secretary then submitted for signature License Agreement, dated July 13, 1995, between the MDC and the City of Somerville, which was signed by the Commissioner and four Associate Commissioners.

4. Report of Mr. Testa, July 10, submitting for approval and execution Contract Agreement with Angelo Picardi for entertainment services, for Back to the Beaches Events, for the remainder of the 1995 Summer season.
Cost - not-to-exceed $12,600.00.
Time for Performance - July 15, 1995 through September 4, 1995.
Account No. 2440-0010.
The Commission VOTED: Approved.
The Secretary then submitted for signature Contract Agreement, dated July 13, 1995, with Angelo Picardi, which was signed by the Commissioner and four Associate Commissioners.

Action was taken upon the following Various Matters:

5. Report of Mr. Jewett, July 7, requesting renewal and execution of a Contract-Agreement with Daniel F. Coughlin, CPA, to Analyze all Contractors Financial Statements.
Total Compensation not-to-exceed $5,000.00.
Time for Performance July 1, 1995 through June 30, 1996.
Account No. 2410-1000.
The Commission VOTED: Approved.
The Secretary then submitted for signature Contract-Agreement,

dated July 13, 1995, with Daniel F. Coughlin, CPA, which was signed by the Commissioner and three Associate Commissioners.

1. Report of Mrs. O'Brien, July 10, recommending approval of a Temporary Construction Permit and authorization to enter into a Maintenance Agreement with the Town of Arlington and the City of Cambridge for their portions of the Minuteman Bikeway Extension which runs through a section of the Alewife Reservation and for the ownership and maintenance of any sculpture or other art work placed along the path.

Cara Seiderman, Bicycle Coordinator, Community Development Office, for the City of Cambridge appeared before the Commission and identified the route of the extension for the Minuteman Bikeway which will include a section of MDC property in both Cambridge and also in Arlington. She then explained that the Bikeway extension will run 600 ± feet from the northwest corner of Alewife MBTA Station across Alewife Brook and under the Route 2 bridge where it will connect with the existing Minuteman Bikeway.

Steve Heicken representing the project's Consultant, City Design, presented a model of a piece of public art which is proposed for the gateway to the bikeway. The gateway will consist of two rough granite pillars, 9 to 10 feet high and 3 to 4 feet on a side at the base, tapering at the top. They would be set 18 feet apart, on opposite sides of the bikeway and would weigh approximately 10 tons each.

Associate Commissioner Wu spoke of his concerns for the safety of the bikers due to the narrow passage (3 to 4 feet) between the granite pillars.

He then asked that further consideration be given to increasing the distance between the pillars as a safety precaution. He asked that Mrs. O'Brien work with the Consultant regarding safety considerations and return to the Commission with the proposed improvements.

The Commission VOTED: to approve a Temporary Construction Permit and authorization for the Commission to enter into a Maintenance Agreement with the Town of Arlington and the City of Cambridge for their portions of the Minuteman Bikeway Extension which runs through a section of the Alewife Reservation and for the ownership and maintenance of any sculpture or other art work placed along the path.

The approval was given with the understanding that Mrs. O'Brien will meet with interested parties to address Commission concerns and report back to the Commission with proposed safety improvements.

2. Report of Mrs. O'Brien, July 6, requesting approval and execution of a Contract-Agreement with Alan H. Mountjoy, for Planning Intern Services - MDC Planning Office.

Funding - MDC - $3,750.00
Harvard University - $1,250.00
Time for Performance - not-to-exceed 10 weeks
Account No. 2449-6033.
The Commission VOTED: Approved.
Associate Commissioner Wu abstained from voting on this matter.

The Secretary then submitted for signature Contract-Agreement, dated July 13, 1995, with Alan H. Mountjoy, which was signed by the Commissioner and two Associate Commissioners.

Action was taken upon the following matters relating to the Office of Real Property:

1. Report of Messrs. Gray and Hart, July 5, requesting the following on Consultant Contract No. RP95-0003-6, with Ainsworth Associates, Inc., for Professional Land Surveying Services for Watershed Lands Acquisition Program -
(a) That work be accepted as completed as of June 30, 1995.
(b) That Invoice No. 1 (Final), in the amount of $1,300.50, be approved for payment.
(c) That retainage, in the amount of $2,384.50, be approved for payment.
(Basis of Award - $22,400.00)
(Total to Date - $23,845.00)
(Contract Performance Rating - 9.00 with 10.00 being excellent)
(EEO Compliance - N/A)
The Commission VOTED: that the work of Ainsworth Associates, Inc., Consultant under Contract Agreement No. RP95-000-6, be and hereby is accepted as completed as of June 30, 1995.
The Commission further VOTED: to approve Invoice No. 1 (Final), in the amount of $1,300.50, for payment.
The Commission further VOTED: to approve release of retainage, in the amount of $2,384.50, for payment.

2. Report of Messrs. Gray and Hart, July 5, requesting the following on Consultant Contract No. RP95-0003-5, with Greenman-Pedersen, Inc., for Professional Land Surveying Services for Watershed Lands Acquisition Program -
(a) That work be accepted as completed as of June 30, 1995.
(b) That Invoice No. 2 (Final), in the amount of $12,129.21, be approved for payment.
(c) That retainage, in the amount of $3,840.00, be approved for payment.
(Basis of Award - $38,400.00)
(Total to Date - $38,400.00)
(Contract Performance Rating - 8.50 with 10.00 being excellent)
(EEO Compliance - N/A)
The Commission VOTED: that the work of Greenman-Pedersen, Inc., Consultant under Contract-Agreement No. RP95-0003-5, be and hereby is accepted as completed as of June 30, 1995.
The Commission further VOTED: to approve Invoice No. 2 (Final), in the amount of $12,129.21, for payment.
The Commission further VOTED: to approve release of retainage, in the amount of $3,840.00, for payment.

3. Report of Messrs. Gray and Hart, June 29, requesting the following on Consultant Contract No. RP95-0003-4, with Almer Huntley, Jr. & Associates, Inc., for Professional Land Surveying Services for Watershed Lands Acquisition Program -

(a) That work be accepted as completed as of June 28, 1995.
(b) That Invoice No. 1 (Final), in the amount of $1,395.00, be approved for payment.
(c) That retainage, in the amount of $155.00, be approved for payment.
(Basis of Award - $1,550.00)
(Total to Date - $1,550.00)
(Contract Performance Rating - 8.50 with 10.00 being excellent)
(EEO Compliance - N/A)

The Commission VOTED: that the work of Almer Huntley, Jr. & Associates, Inc., Consultant under Contract-Agreement No. RP95-0003-4, be and hereby is accepted as completed as of June 28, 1995.

The Commission further VOTED: to approve Invoice No. 1 (Final), in the amount of $1,395.00, for payment.

The Commission further VOTED: to approve release of retainage, in the amount of $155.00, for payment.

1. Report of Messrs. Gray and Hart, June 27, requesting the following on Consultant Contract No. RP94-0003-1, with Cullinan Engineering, Inc., for Professional Land Surveying Services for Watershed Lands Acquisition Program -
(a) That work be accepted as completed as of June 27, 1995.
(b) That Invoice No. 2 (Final), in the amount of $2,747.25, be approved for payment.
(c) That retainage, in the amount of $728.85, be approved for payment.
(Basis of Award - $5,295.00)
(Total to Date - $7,288.50)
(Contract Performance Rating - 8.50 with 10.00 being excellent)
(EEO Compliance - N/A)

The Commission VOTED: that the work of Cullinan Engineering, Inc., Consultant under Contract-Agreement No. RP94-0003-1, be and hereby is accepted as completed as of June 27, 1995.

The Commission further VOTED: to approve Invoice No. 2 (Final), in the amount of $2,747.25, for payment.

The Commission further VOTED: to approve release of retainage, in the amount of $728.85, for payment.

2. Report of Messrs. Gray and Hart, June 27, requesting the following on Consultant Contract No. RP95-0003-3, with GLM Engineering Consultants, Inc., for Professional Land Surveying Services for Watershed Lands Acquisition Program -
(a) That work be accepted as completed as of June 23, 1995.
(b) That Invoice No. 1 (Final), in the amount of $1,440.00, be approved for payment.
(c) That retainage, in the amount of $160.00, be approved for payment.
(Basis of Award - $1,600.00)
(Total to Date - $1,600.00)
(Contract Performance Rating - 8.50 with 10.00 being excellent)
(EEO Compliance - N/A)

The Commission V O T E D: that the work of GLM Engineering Consultants, Inc., Consultant under Contract-Agreement No. RP95-0003-3, be and hereby is accepted as completed as of June 23, 1995.
The Commission further V O T E D: to approve Invoice No. 1 (Final), in the amount of $1,440.00, for payment.
The Commission further V O T E D: to approve release of retainage, in the amount of $160.00, for payment.

1. Report of Messrs. Gray and Hart, June 20, requesting the following on Consultant Contract No. RP95-0003-8, with Land Planning Engineering and Survey, for Professional Land Surveying Services for Watershed Lands Acquisition Program -
(a) That work be accepted as completed as of June 8, 1995.
(b) That Invoice No. 1 (Final), in the amount of $36,031.50, be approved for payment.
(c) That retainage, in the amount of $4,103.50, be approved for payment.
(Basis of Award - $41,035.00)
(Total to Date - $41,035.00)
(Contract Performance Rating - 9.00 with 10.00 being excellent)
(EEO Compliance - N/A)
The Commission V O T E D: that the work of Land Planning Engineering and Survey, Consultant under Contract-Agreement No. RP95-0003-8, be and hereby is accepted as completed as of June 8, 1995.
The Commission further V O T E D: to approve Invoice No. 1 (Final), in the amount of $36,031.50, for payment.
The Commission further V O T E D: to approve release of retainage, in the amount of $4,103.50, for payment.

Adjourned at 10:15 a.m., to meet on Thursday, July 20, 1995, at 10:00 a.m.

Secretary

59,p.41
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20, 1995

Record of the Three Thousand Seven Hundred and Thirty Sixth (3736th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, July 20, 1995 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Settles and Wu.

The Records of the Commission Meeting held on June 22, 1995 were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and four Associate Commissioners:

1. First Amendment, dated July 20, 1995, to Contract-Agreement No. P92-1626-D1A, with Bruce Campbell & Associates, for Professional Traffic Engineering Services.

2. Sixth Amendment, dated July 20, 1995, to Contract-Agreement No. P82-1054-D1G, with Edwards & Kelcey, Inc., for Services for Upgrading and Rehabilitation of the MDC Charles Circle Bridges 57A and 57B.

3. Contract-Agreement No. P94-1753-D1A, dated July 20, 1995, with Camp Dresser and McKee, Inc., for Sewerage System Modification Design Review Services.

4. Contract-Agreement, dated July 20, 1995, with John Roll Associates, to Develop Two Additional Components to the New Sign Manual.

5. Amendment, dated July 20, 1995, to Contract-Agreement No. P94-1749-D1A, with David P. Handlin and Associates, for Design Services for Captain's House Renovations, South Region Headquarters, Blue Hills.

The Secretary then submitted for signature the following paper which was signed by the Commissioner and three Associate Commissioners:

6. Contract No. P95-1778-C1A, dated July 20, 1995, with Ledgewood Construction Co., Inc., for Installation of a 10" Water Line at the Blue Hills Ski Area, Canton.

7. Contract-Agreement with Berkshire Pioneer Resource Conservation and Development Area, Inc., for Assistance in Completing Forest Management Plans and Forest Restoration Projects within the Wachusett Watershed.
The Contract-Agreement did not arrive in time for signature by the entire Commission. Therefore, Mr. Jewett asked that Commissioner Balfour be authorized to execute the Contract-Agreement on behalf of the Commission.
The Commission VOTED: authorization for Commissioner Balfour to execute the Contract-Agreement on behalf of the Commission.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Mr. Faucher and Miss Peterson, July 13, on bids for Repairs to Charles Circle Bridges #57A and #57B, Boston. (Mr. Faucher and Miss Petersen recommend acceptance of the lowest bid received, that of The Middlesex Corporation/ Middlesex Paving/Middlesex Bituminous Products/Middlesex, Inc., and Middlesex Materials Corporation, of $1,887,754.00).
The Commission V O T E D: to accept the lowest bid received, that of The Middlesex Corporation/ Middlesex Paving/Middlesex Bituminous Products/Middlesex, Inc., and Middlesex Materials Corporation, of $1,887,754.00.

2. Report of Mr. Faucher and Miss Pfetsch, July 11, recommending the following on Consultant Contract No. P93-1679-S1A, with Adaptive Environments Center, for Accessibility Survey of MDC's Recreational Facilities -
(a) That work be accepted as completed as of November 30, 1994.
(b) That retainage, in the amount of $3,940.72, be approved for payment.
(Basis of Award - $37,276.00)
(Total to Date - $39,407.56)
(Contract Performance Rating - 7.00)
(EEO Compliance - N/A)
The Commission V O T E D: that the work of Adaptive Environments Center, Consultant under Contract No. P93-1679-S1A, be and hereby is accepted as completed as of November 30, 1994.
The Commission further V O T E D: to approve release of retainage, in the amount of $3,940.72, be approved for payment.

3. Report of Messrs. Faucher and Sacco, July 12, on bid for Installation of Submarine Cables at John J. Beades Drawbridge, Dorchester, Project No. P92-1646-C2A.
(Messrs. Faucher and Sacco recommend rejection of the only bid received as it was 50% above the Engineer's estimate. They further request permission to readvertise the project).
The Commission V O T E D: to reject the only bid received on Project No. P92-1646-C2A, as recommended by Messrs. Faucher and Sacco in their report of July 12, 1995.
The Commission further V O T E D: Permission to readvertise the project.

4. Report of Messrs. Faucher and McCalla, July 13, recommending approval of revisions in quantities on Contract No. P94-1706-M1A, with Penachio Brothers Electrical Corporation, for Maintenance of Street Lighting Systems on Parkways and Roadways of the MDC, as follows -

Item No. 002-010 Street Light Knockdown Repair Aluminum Standard	**$1,050.00**
Item No. 027-010 Single Conductor #10 Stranded Copper Wire	**$ 950.00**
Item No. 028-010 Single Conductor #6 - 600 - V Line Cable	**$ 205.00**
Item No. 043-010 Photo Cell Button Type	**$ 712.50**

Item No. 057-010 Mercury Fixture 250W Soldiers Field Road and Storrow Drive	**$6,025.00**
Total -	**$8,942.50**

(At no increase in Contract cost as the revisions will be offset by unused quantities in Item No. 075-010 - Material Components and Parts).
The Commission V O T E D: Approved.

1. Report of Messrs. Faucher and Higgott, July 10, recommending the following on Contract No. P94-1731-D1A, for Nantasket Seawall Reconstruction and Quincy Shore Drive and Wollaston Beach Rehabilitation -

(a) That the vote of December 16, 1993 approving and authorizing the advertisement of Contract No. P94-1731-D1A, for Nantasket Seawall Reconstruction and Quincy Shore Drive and Wollaston Beach Rehabilitation, be rescinded.
(b) That the Commission approve Project No. P96-1814-D1A, for Nantasket Beach Seawall Replacement and Repairs. Estimated Cost - $490,000.00, for Engineering, Design and Construction Management by the US Army Corps of Engineers - Account No. 2490-8915. Time for Performance 24 months.
(c) That the Commission approve the Memorandum of Agreement between the MDC and the US Army Corps of Engineers, for Engineering Design and Construction Management associated with the replacement and repair of the seawall.
(d) That the Commissioner be authorized to execute the Memorandum of Agreement on behalf of the Commission.
(e) That the Commission approve the Wollaston Beach and Quincy Shore Drive Project, Contract No. P94-1713-D2A, as a separate project. Design fee $100,000.00. Time for Performance 21 months. Account No. 2490-8915.

The Commission V O T E D: Held Over.

2. Report of Messrs. Faucher, Brooks and Martinez, July 3, on bids for Water Service Line Replacement at Bajko Rink, Hyde Park. Contract No. P95-1809-C1A.
(Messrs. Faucher, Brooks and Martinez recommend acceptance of the only bid received, that of Ace Construction Enterprise, of $14,875.00).
The Commission V O T E D: to accept the only bid received, that of Ace Construction Enterprise, of $14,875.00.

Action was taken upon the following matters relating to the Office of Real Property:

3. Report of Messrs. Gray and Comeau, July 7, requesting the following on Consultant Contract No. RP95-0006-5, with Surveying and Mapping Consultants, for Professional Land Surveying Services for Parks Acquisition Program -

(a) That work be accepted as completed as June 30, 1995.

(b) That Invoice No. 1 (Final), in the amount of $11,160.00, be approved for payment.

(c) That retainage, in the amount $1,240.00, be approved for payment.

(Basis of Award - $12,400.00)
(Total to Date - $12,400.00)
(Contract Performance Rating - 8.00 with 10.00 being excellent)
(EEO Compliance - N/A)

The Commission VOTED: that the work of Surveying and Mapping Consultants, Consultant under Contract No. RP95-0006-5, be and hereby is accepted as completed as of June 30, 1995.

The Commission further VOTED: to approve Invoice No. 1 (Final), in the amount of $11,160.00, for payment.

The Commission further VOTED: to approve release of retainage, in the amount $1,240.00, for payment.

1. Report of Messrs. Gray and Comeau, July 7, requesting the following on Consultant Contract No. RP95-0006-4, with Hayes Engineering, Inc., for Professional Land Surveying Services for Parks Acquisition Program -

(a) That work be accepted as completed as June 30, 1995.

(b) That Invoice No. 1 (Final), in the amount of $4,500.00, be approved for payment.

(c) That retainage, in the amount $500.00, be approved for payment.

(Basis of Award - $5,000.00)
(Total to Date - $5,000.00)
(Contract Performance Rating - 8.00 with 10.00 being excellent)
(EEO Compliance - N/A)

The Commission VOTED: that the work of Hayes Engineering, Inc., Consultant under Contract No. RP95-0006-4, be and hereby is accepted as completed as of June 30, 1995.

The Commission further VOTED: to approve Invoice No. 1 (Final), in the amount of $4,500.00, for payment.

The Commission further VOTED: to approve release of retainage, in the amount $500.00, for payment.

2. Report of Messrs. Gray and Comeau, July 7, requesting the following on Consultant Contract No. RP95-0006-3, with DeCelle Engineering & Survey, for Professional Land Surveying Services for Parks Acquisition Program -

(a) That work be accepted as completed as June 30, 1995.

(b) That Invoice No. 1 (Final), in the amount of $5,112.00, be approved for payment.

(c) That retainage, in the amount $568.00, be approved for payment.

(Basis of Award - $5,680.00)
(Total to Date - $5,680.00)
(Contract Performance Rating - 8.00 with 10.00 being excellent)
(EEO Compliance - N/A)

The Commission VOTED: that the work of DeCelle Engineering & Survey, Consultant under Contract No. RP95-0006-3, be and

hereby is accepted as completed as of June 30, 1995.
The Commission further VOTED: to approve Invoice No. 1 (Final), in the amount of $5,112.00, for payment.
The Commission further VOTED: to approve release of retainage, in the amount $568.00, for payment.

1. Report of Messrs. Gray and Comeau, July 7, requesting the following on Consultant Contract No. RP95-0006-2, with Cullinan Engineering Co., Inc., for Professional Land Surveying Services for Parks Acquisition Program -
(a) That work be accepted as completed as June 30, 1995.
(b) That Invoice No. 1 (Final), in the amount of $3,060.00, be approved for payment.
(c) That retainage, in the amount $340.00, be approved for payment.
(Basis of Award - $3,400.00)
(Total to Date - $3,400.00)
(Contract Performance Rating - 8.00 with 10.00 being excellent)
(EEO Compliance - N/A)
The Commission VOTED: that the work of Cullinan Engineering Co., Inc., Consultant under Contract No. RP95-0006-2, be and hereby is accepted as completed as of June 30, 1995.
The Commission further VOTED: to approve Invoice No. 1 (Final), in the amount of $3,060.00, for payment.
The Commission further VOTED: to approve release of retainage, in the amount $340.00, for payment.

2. Report of Messrs. Gray and Comeau, July 7, requesting the following on Consultant Contract No. RP95-0006-1, with Alpha Land Surveying and Engineering Associates, for Professional Land Surveying Services for Parks Acquisition Program -
(a) That work be accepted as completed as June 30, 1995.
(b) That Invoice No. 1 (Final), in the amount of $7,353.00, be approved for payment.
(c) That retainage, in the amount $817.00, be approved for payment.
(Basis of Award - $8,170.00)
(Total to Date - $8,170.00)
(Contract Performance Rating - 9.00 with 10.00 being excellent)
(EEO Compliance - N/A)
The Commission VOTED: that the work of Alpha Land Surveying and Engineering Associates, Consultant under Contract No. RP95-0006-1, be and hereby is accepted as completed as of June 30, 1995.
The Commission further VOTED: to approve Invoice No. 1 (Final), in the amount of $7,353.00, for payment.
The Commission further VOTED: to approve release of retainage, in the amount $817.00, for payment.

Adjourned at 9:55 a.m., to meet on Thursday, July 27, 1995, at Camp Nihan Educational Center in Saugus at 11:00 a.m.

William F.
Secretary

59,p.46
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27, 1995

Record of the Three Thousand Seven Hundred and Thirty Seventh (3737th) meeting of the Metropolitan District Commission duly called and held at Camp Nihan Educational Center, 131 Walnut Street, (Route 129), Saugus, Massachusetts, on Thursday, July 27, 1995 at 11:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort and Settles.

The Records of the Commission Meeting held on July 13, 1995 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher and Higgott, July 10, recommending the following on Contract No. P94-1731-D1A, for Nantasket Seawall Reconstruction and Quincy Shore Drive and Wollaston Beach Rehabilitation -

(a) That the vote of December 16, 1993 approving and authorizing the advertisement of Contract No. P94-1731-D1A, for Nantasket Seawall Reconstruction and Quincy Shore Drive and Wollaston Beach Rehabilitation, be rescinded.

(b) That the Commission approve Project No. P96-1814-D1A, for Nantasket Beach Seawall Replacement and Repairs. Estimated Cost - $490,000.00, for Engineering, Design and Construction Management by the US Army Corps of Engineers - Account No. 2490-8915. Time for Performance 24 months.

(c) That the Commission approve the Memorandum of Agreement between the MDC and the US Army Corps of Engineers, for Engineering Design and Construction Management associated with the replacement and repair of the seawall.

(d) That the Commissioner be authorized to execute the Memorandum of Agreement on behalf of the Commission.

(e) That the Commission approve the Wollaston Beach and Quincy Shore Drive Project, Contract No. P94-1713-D2A, as a separate project. Design fee $100,000.00. Time for Performance 21 months. Account No. 2490-8915.

The Commission V O T E D: Delete from Agenda.

2. Report of Messrs. Faucher, Brooks and Haider, July 21, on bids for Replacement of Service Building Roof at the Connell Rink/Pool Facility, Weymouth. Contract No. P95-1810-C1A.
(Messrs. Faucher, Brooks and Haider recommend acceptance of the lowest bid received, that of Titan Roofing, Inc., of $74,400.00).
The Commission V O T E D: to accept the lowest bid received, that of Titan Roofing, Inc., of $74,400.00.

3. Report of Messrs. Faucher and Machado, July 21, on bids for Resurfacing of MDC Parkways at Various Locations throughout the Metropolitan District. Contract No. P95-1801-C1A.
(Messrs. Faucher and Machado recommend acceptance of the lowest

bid received, that of T. L. Edwards, Inc./T. L. Edwards Corp., of $1,392,633.50).
The Commission VOTED: to accept the lowest bid received, that of T. L. Edwards, Inc./T. L. Edwards Corp., of $1,392,633.50.

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1. Report of Messrs. Faucher, Brooks and Haider, July 20, submitting for approval Project Summary, Project Justification, Work Schedule and requesting permission to advertise Project No. P96-1816-C1A, for Installation of Heating and Dehumidification Systems, Connell Pool Area, Connell Pool, Weymouth.
Estimated Cost - $65,000.00.
Time for Performance - 35 days.
Account No. 2440-8952.
The Commission VOTED: Approved.
The Commission further VOTED: Permission to Advertise.

Action was taken upon the following matter relating to the Watershed Management Division:

2. Report of Messrs. McGinn and Robert O'Connor, July 17, on proposals for the purchase of forest products on Wachusett, Ware River and Quabbin Reservoir Watersheds.
The Commission VOTED: to accept the highest qualified bid, that of Ducat Lumber, of $6,677.37; to purchase approximately 95,391 board feet of sawlogs, 77 cords of pulp and 132 cords of pulp in tops on Timber Lot No. 120A - Wachusett Reservoir Watershed.
The Commission further VOTED: to accept the highest qualified bid, that of Ducat Lumber, of $1,652.45; to purchase approximately 36,721 board feet of sawlogs and 47 cords of pulp on Timber Lot No. 125 - Wachusett Reservoir Watershed.
The Commission further VOTED: to accept the highest qualified bid, that of Ducat Lumber, of $3,078.28; to purchase approximately 23,291 board feet of sawlogs, 81 cords of firewood and 50 cords of pulp wood on Timber Lot No. 126 - Wachusett Reservoir Watershed.
The Commission further VOTED: to accept the highest qualified bid, that of Ducat Lumber, of $6,513.84; to purchase approximately 78,480 board feet of sawlogs, 127 cords of pulp and 119 cords of pulp in tops on Timber Lot No. 127 - Wachusett Reservoir Watershed.
The Commission further VOTED: to accept the highest qualified bid, that of Tim Robinson Logging, of $5,489.34; to purchase approximately 79,555 board feet of sawlogs, 195 cords of firewood and 312 tons of whole tree wood on Timber Lot No. 244 - Ware River Watershed.
The Commission further VOTED: to accept the highest qualified bid, that of Tim Robinson Logging, of $3,953.00; to purchase approximately 80,835 board feet of sawlogs, 129 cords of firewood and 265 tons of whole tree wood on Timber Lot No. 245 - Ware River Watershed.
The Commission further VOTED: to accept the highest qualified bid, that of Nelson Malin, of $1,176.00; to purchase

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approximately 111 cords of firewood on Timber Lot No. 246 - Ware River Watershed.

The Commission further VOTED: to accept the highest qualified bid, that of Tim Robinson Logging, of $1,137.25; to purchase approximately 5,100 board feet of sawlogs and 76 cords of firewood on Timber Lot No. 247 - Ware River Watershed.

The Commission further VOTED: to accept the highest qualified bid, that of Curtis Lumber of $28,180.00; to purchase approximately 366,774 board feet of sawlogs, 84 cords of firewood and 1,807 tons of pulp on Timber Lot No. 705 - Quabbin Reservoir Watershed.

The Commission further VOTED: to accept the only qualified bid, that of King-Chaffee Logging, of $2,640.00; to purchase approximately 40,0000 board feet of sawlogs and 73 tons of pulp on Timber Lot No. 706 - Quabbin Reservoir Watershed.

The Commission further VOTED: to accept the highest qualified bid, that of W. R. Robinson Lumber Co., of $22,450.00; to purchase approximately 260,600 board feet of sawlogs, 94 cords of firewood and 26 tons of pulp on Timber Lot No. 707 - Quabbin Reservoir Watershed.

The Commission further VOTED: to accept the highest qualified bid, that of William Fisher, of $12,335.00; to purchase approximately 93,060 board feet of sawlogs, 83 cords of firewood and 183 tons of pulp on Timber Lot No. 708 - Quabbin Reservoir Watershed.

The Commission further VOTED: to accept the highest qualified bid, that of William Fisher, of $34,614.00; to purchase approximately 364,878 board feet of sawlogs, 14 cords of firewood and 441 tons of pulp on Timber Lot No. 709 - Quabbin Reservoir Watershed.

The Commission further VOTED: to accept the highest qualified bid, that of Wetherby Farm, of $5,950.50; to purchase approximately 8,325 board feet of sawlogs and 335 cords of firewood on Timber Lot No. 710 - Quabbin Reservoir Watershed.

The Commission further VOTED: to accept the only qualified bid, that of Chris Pirner, of $325.00; to purchase approximately 85 cords of firewood on Timber Lot No. 711 - Quabbin Reservoir Watershed.

The Commission further VOTED: to accept the highest qualified bid, that of LeClerc & Son, of $8,281.35; to purchase approximately 123,680 board feet of sawlogs, 54 cords of firewood and 145 tons of pulp on Timber Lot No. 712 - Quabbin Reservoir Watershed.

The Commission further VOTED: to accept the highest qualified bid, that of Conkey Logging & Lumber, of $1,152.50; to purchase approximately 11,065 board feet of sawlogs, 50 cords of firewood and 10 cords in tops on Timber Lot No. 713 - Quabbin Reservoir Watershed.

The Commission further VOTED: to accept the highest qualified bid, that of Conkey Logging & Lumber, of $3,742.50; to purchase approximately 32,960 board feet of sawlogs and 17 cords of firewood on Timber Lot No. 714 - Quabbin Reservoir Watershed.

The Commission further VOTED: to accept the only qualified bid, that of King-Chaffee Logging, of $630.00; to purchase approximately 23,302 board feet of sawlogs, 9 cords of firewood

and 160 tons of pulp on Timber Lot No. 715 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the only qualified bid, that of LeClerc & Son, of $14,895.90; to purchase approximately 263,070 board feet of sawlogs, 525 cords of firewood and 56 cords in tops on Timber Lot No. 716 - Quabbin Reservoir Watershed.

Action was taken upon the following Various Matter:

1. Report of Mr. Jewett, July 25, requesting approval and execution of an Amendment to the Permit-Agreement for Nantasket Beach Parking Lots, which authorized Preferred Parking Company, Inc., to collect parking fees to 6:00 P.M., rather than the current 4:00 P.M. deadline. In return, Preferred Parking Co., Inc., will extend hours of the Waiting Room Sanitary from the current closing of 6:00 P.M. to 10:00 P.M.
(At no additional cost to the Commission).
The Commission V O T E D: Delete from Agenda.

Adjourned at 11:45 a.m., to meet on Thursday, August 3, 1995, at the Metropolitan District Commission Headquarters Building, 20 Somerset Street, Boston, at 9:00 a.m.

William F.
Secretary

Record of the Three Thousand Seven Hundred and Thirty Eighth (3738th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, August 3, 1995 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Settles and Wu.

The Records of the Commission Meeting held on July 20, 1995 were read and approved.

The Secretary submitted for signature the following paper which was signed by the Commissioner and four Associate Commissioners:

1. Contract No. P95-1801-C1A, dated August 5, 1995, with T. L. Edwards, Inc./T. L. Edwards Corp., for Resurfacing of MDC Parkways at Various Locations throughout the Metropolitan District.

Action was taken upon the following matters relating to the Engineering and Construction Division:

2. Report of Messrs. Faucher, Brooks and Haider, July 26, submitting for approval Project Summary, Project Justification, Work Schedule and requesting authorization to advertise Project No. P96-1817-C1A, for Capital Improvement or Major Replacement of HVAC Systems, Including Hot Water and Make-Up Air at MDC Facilities.
Estimated Cost $465,000.00.
Time for Performance - 22 months.
Account Nos. 2440-8952, 2444-8812, 2490-0010 and 2440-9846.
The Commission VOTED: Approved.
The Commission further VOTED: authorization to advertise Project No. P96-1817-C1A, for Capital Improvement or Major Replacement of HVAC Systems, Including Hot Water and Make-Up Air at MDC Facilities.

3. Report of Messrs. Faucher, Brooks and Haider, July 28, recommending approval of an extension of time from June 15, 1995 to September 30, 1995, on Contract No. P95-1778-C1A, with Ledgewood Construction Co., Inc., for Installation of a 10" Water Line at the Blue Hills Ski Area, Canton.
(At no increase in Contract cost).
The Commission VOTED: to approve an extension of time from June 15, 1995 to September 30, 1995, as recommended by Messrs. Faucher, Brooks and Haider, in their report of July 28, 1995, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.
Associate Commissioner Elkort did not participate in discussion and abstained from voting on this matter.

4. Report of Mr. Jackson, July 27, recommending the following on Contract No. P82-1034-D1A, with the Halvorson Company, Inc., for Landscape Improvements to Beaver Brook Reservation -
(a) That work be accepted as completed as of December 11, 1994.

(b) That retainage, in the amount of $9,362,14, be approved for payment.
(Basis of Award - $108,000.00)
(Total to Date - $133,462.63)
(Consultant Performance Rating - 8.00 with 10.00 being excellent)
(EEO Compliance - N/A)

The Commission V O T E D: that the work of Halvorson Company, Inc., Contractor under Contract No. P82-1034-D1A, be and hereby is accepted as completed as of December 11, 1994.

The Commission further V O T E D: to approve release of retainage, in the amount of $9,362,14, for payment.

1. Report of Mr. Faucher and Mrs. Graves-Jones, July 28, recommending approval of a revision in quantities on Item No. 003-010 - 4" Reflectorized Line (Thermo) - at a cost of $15,450.00, on Contract No. P94-1705-M1A, with Markings, Inc., for Installation of Reflectorized Pavement Markings on Parkways and Roadways of MDC at Various Locations.
(At no increase in Contract cost as the revision will be offset by unused quantities in Item Nos. 002-010, 008-010 and 009-010).
The Commission V O T E D: Approved.

2. Report of Messrs. Faucher and McCalla, July 26, recommending approval of the following revisions in quantities on Contract No. P94-1706-M1A, with Penachio Brothers Electrical Corporation, for Maintenance of Street Lighting Systems on Parkways and Roadways of the MDC -

Item No. 005-010 20' Steel Light Std., Trans Base Type	**$ 2,985.00**
Item No. 009-010 8' Bracket Arm	**$ 500.00**
Item No. 034-010 Mercury Vapor Lamp 250W	**$ 8,360.00**
Item No. 051-010 Conduit Allowance	**$ 4,000.00**
Item No. 057-010 Mercury Fixture 250W, Soldiers Field Road and Storrow Drive	**$ 6,025.00**
Item No. 058-010 Mercury Fixture 400W, Nantasket, Revere and Medford	**$ 1,617.00**
Total -	**$23,487.00**

(At no increase in Contract cost as the revisions will be offset by unused quantities in Item Nos. 007-010, 011-010, 012-010, 016-010, 017-010,018-010, 019-010, 020-010, 021-010, 022-010, 025-010, 037-010, 046-010, 047-010 and 048-010).
The Commission V O T E D: Approved.

3. Report of Messrs. Faucher and Machado, July 24, on bids for Repairing/Replacing Bituminous and Cement Concrete Sidewalks and Curbing at Various Locations throughout the Metropolitan District. (Messrs. Faucher and Machado recommend acceptance of the lowest bid received, that of J. Marchese & Sons, Inc., of $716,455.00).

The Commission V O T E D: to accept the lowest bid received, that of J. Marchese & Sons, Inc., of $716,455.00.

Action was taken upon the following matter relating to the Watershed Management Division:

1. Report of Messrs. McGinn and Kane, July 20, requesting approval of an extension of time from August 31, 1995 to June 30, 1997, on Contract No. WM93-060-D2A, with GZA GeoEnvironmental, Inc., for Final Design for Construction of Essential Remedial Repairs and Emergency Action Plan, Sudbury Dam.
(At no increase in Contract cost).
The Commission V O T E D: Approved as requested by Messrs. McGinn and Kane in their report of July 20, 1995.

Action was taken upon the following Various Matters:

2. Report of Miss Overton and Mr. Jewett, July 29, requesting approval of an MDC Marketing Program at the direction of the Commissioner, to promote and educate the public about MDC facilities and programs along with the "Back to the Beaches" program.
Cost not-to-exceed $50,000.00.
Account No. 2440-8992 - $30,000.00.
Account No. 2410-1000 - $20,000.00.
The Commission V O T E D: Approved as recommended by Miss Overton and Mr. Jewett in their report of July 29, 1995.

3. Report of the Concession Selection Committee, August 2, recommending award of the year round Food Service Concession at Kelley's Landing, 1883 Day Boulevard, South Boston, to Gerard F. Adomunes, D/B/A Adams Corner, for a period of five (5) years, commencing on the opening day of the concession building, no later than December 1, 1995.
The Concession Selection Committee further recommends that Mr. Adomunes be authorized to operate a temporary food service outside the building until such time as the permanent concession stand is open for business. This temporary stand is required to operate no later than seven (7) days after the execution of the permit. The operation must be approved by the Commission or its designee. Fee for temporary service shall be negotiated.
The Commission V O T E D: Approved as recommended by the Concession Selection Committee with annual compensation to be paid to the Commission in the amount of $60,000.00, for each year of the five year permit, payable monthly in arrears. In addition, Mr. Adomunes will make suitable renovations, repairs and redesign of the structure, all of which must be acceptable to the Commission or its designee, at a cost of approximately $200,000.00.

Adjourned at 9:45 a.m., to meet on Thursday, August 10, 1995, at 9:00 a.m.

William F. Cushing
Secretary

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Record of the Three Thousand Seven Hundred and Thirty Ninth (3739th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, August 10, 1995 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort and Settles.

The Records of the Commission Meeting held on July 27, 1995 were read and approved.

The Secretary submitted for signature the following paper which was signed by the Commissioner and three Associate Commissioners:

1. Contract No. P95-1809-C1A, dated August 10, 1995, with Ace Construction Enterprise, for Water Service Line Replacement at Bajko Rink, Hyde Park.

2. Contract No. P95-1810-C1A, dated Augusts 10, 1995, with Titan Roofing, Inc., for Replacement of Service Building Roof at the Connell Rink/Pool Facility, Weymouth.

Action was taken upon the following matters relating to the Engineering and Construction Division:

3. Report of Messrs. Faucher and Haider, July 30, on bids for Servicing of Heating, Ventilation and Air Conditioning Systems at Various MDC Facilities within the Metropolitan Parks System. (Messrs. Faucher and Haider recommend acceptance of the only bid received, that of P. H. Mechanical of $123,000.00).
The Commission V O T E D: to accept the only bid received, that of P. H. Mechanical of $123,000.00.

4. Report of Messrs. Faucher and Soroka, August 2, recommending approval of revisions in quantities on Contract No. P94-1709-M1A, with Coviello Electric and General Contracting Co., Inc., for Servicing Traffic Signal and Control Systems - Charles River Basin Districts -

Item No. 008-030 Post Top Mounting Three Way or Four Way	**$ 300.00**
Item No. 011-010 Cement Concrete Foundation Removed and Discarded	**$2,100.00**
Item No. 011-020 Cement Concrete Foundation Octagonal Base	**$2,100.00**
Total -	**$4,500.00**

(At no increase in Contract cost as the revisions will be offset by unused quantities in Item No. 002-010 - Materials, Components, Parts and Controls, Item No. 020-010 - Traffic Control Services).
The Commission V O T E D: Approved.

5. Report of Messrs. Faucher and Haider, June 22, recommending the following on Contract No. P95-1756-C1B, with G.V.W., Inc., for Improvements to include Painting and Lead Abatement, Hull Central

Services Complex -
(a) That work be accepted as completed as on May 30, 1995.
(b) That Estimate No. 6 (Final), in the amount of $31,816.71, be approved for payment.
(c) That reserve, in the amount of $25,832.95, be approved for payment.
(Basis of Award - $428,435.00)
(Total to Date - $516,659.16)
(Contract Administration Rating - 4.00)
(EEO Compliance - 4.60)
The Commission VOTED: that the work of G.V.W., Inc., Contractor under Contract No. P95-1756-C1B, be and hereby is accepted as completed as of May 30, 1995.
The Commission further VOTED: to approve Estimate No. 6 (Final), in the amount of $31,816.71, for payment.
The Commission further VOTED: to approve release of reserve, in the amount of $25,832.95, be approved for payment.

1. Report of Mr. Jackson, July 27, recommending the following on Contract No. P93-1668-X1A, with Wallace Floyd Associates, for Professional Landscape Architect Services -
(a) That work be accepted as completed as of June 30, 1995.
(b) That Estimate No. 18 (Final) in the amount of $9,090.43, be approved for payment.
(c) That retainage, in the amount of $16,298.45, be approved for payment.
(Basis of Award - $150,000.00)
(Amount to Date - $162,985.00)
(Consultant Performance Rating - 9.00 with 10.00 being excellent).
(EEO Compliance - N/A).
The Commission VOTED: that the work of Wallace Floyd Associates, Consultant under Contract No. P93-1668-X1A, be and hereby is accepted as completed as of June 30, 1995.
The Commission further VOTED: to approve Estimate No. 18 (Final) in the amount of $9,090.43, for payment.
The Commission further VOTED: to approve release of retainage, in the amount of $16,298.45, be approved for payment.

2. Report of Messrs. Faucher and Haider, August 2, recommending the following on Contract No. P93-1701-C1A, with Allstate Drilling and Pump Service, Inc., d/b/a, E. Ryder Well Drilling, for Well Installation at Camp Nihan, Saugus -
(a) Ratification and approval of Alteration No. 1 - which reduces yield of the well from 18 gallons per minute to 2.9 gallons per minute, at a credit of $13,470.67.
(b) An extension of time from August 1, 1995 to September 15, 1995, due to safety concerns for children taking part in activities at Camp Nihan.
The Commission VOTED: to ratify and approve Alteration No. 1 - which reduces yield of the well from 18 gallons per minute to 2.9 gallons per minute, at a credit to the Commission, in the amount of $13,470.67.
The Commission further VOTED: to approve an extension of time from August 1, 1995 to September 15, 1995, as recommended by

Messrs. Faucher and Haider in their report of August 2, 1995, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

1. Report of Messrs. Faucher and Jackson, August 3, recommending approval of an extension of time from August 21, 1995 to October 31, 1995 on Contract No. P95-1806-C1A, with Northern Tree Service, for Installation of Flagpoles and Banners along Boston Harbor Beaches.
(At no additional Contract cost).
The Commission questioned the reason for the delay in finalizing the installation of the flagpoles and banners.
Mr. Jackson explained that the Contractor has experienced delays in receiving the banners from the manufacturer and, therefore, the project has not proceeded on schedule. He noted that banners were slated for delivery to the MDC by June 15, but as of today, only 50% have been received. He then noted that there has also been a delay in receiving specially fabricated aluminum poles which take 10 to 12 weeks for delivery. Mr. Jackson then noted that the current schedule calls for completion of all elements of the work by the end of August.
Mr. Jackson then explained that an additional reason for the requested extension of time was to keep the contract in force so that Northern Tree Service can remove the banners at the end of the season.
At this point, noting that the summer is almost over, Commissioner Balfour asked that the additional banners not be installed and that they be stored for installation next year.
Mr. Jackson stated that a "Back to the Beaches" event is scheduled on August 19, at Malibu Beach, Dorchester, and suggested that banners be installed for that event. Commissioner Balfour concurred with the suggestion.
At this point, Associate Commissioners Carr and Elkort spoke of their concerns regarding the project.
Associate Commissioner Settles noted that he voted against the project when it initially appeared before the Commission. At that time he felt that the funds could be better utilized for other projects.
Following the lengthy discussion, the Commission VOTED: to approve an extension of time from August 21, 1995 to October 31, 1995, as recommended by Messrs. Faucher and Jackson in their report of August 3, 1995, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation, also with the understanding that only those banners to be used in conjunction with the "Back to the Beaches" event at Malibu Beach on August 19, be installed for the remainder of the 1995 summer season.

2. Report of Messrs. Faucher and Sacco, August 2, recommending the following on Contract No. P82-1047-C1A, with J. F. White Contracting Co., for Rehabilitation of General Edwards Bridge, Revere/Lynn -
(a) That work be accepted as complete as of August 1, 1994.

(b) That Estimate No. 54 (Retainage), in the amount of $133,753.26, be approved for payment.
(Basis of Award - $10,487,130.00)
(Total to Date - $11,355,065.13)
(Contract Administration Rating - 2.67)
(EEO Compliance - 4.00)

Mr. Sacco reviewed the history of the Contract and noted that the Division had a multitude of problems with J. F. White Contracting Company, during the term of the project.

He cited the lack of effective project management, cooperation and schedule of compliance as the main problems.

Following a lengthy discussion, regarding the Contract, Associate Commissioner Settles questioned if a memo would be placed in the J. F. White Contracting Company file which outlines the problems that the Commission encountered on this Contract.

Mr. Sacco responded in the affirmative.

Associate Commissioner Settles then asked that if J. F. White Contracting Company is low bidder on a future MDC Contract, that the Commission be informed of the firm's poor Administrative Rating on the project for Rehabilitation of the General Edwards Bridge.

The Commission VOTED: that the work of J. F. White Contracting Co., Contractor under Contract No. P82-1047-C1A, be and hereby is accepted as completed as of August 1, 1994.

The Commission further VOTED: to approve Estimate No. 54 (Retainage), in the amount of $133,753.26, for payment.

Action was taken upon the following matters relating to the Watershed Management Division:

1. Report of Messrs. McGinn and Robert O'Connor, May 4, recommending the following on Contract No. WM94-015-S1A, with Trustee's of Boston University, for Archaeological Resource Inventory of Prescot Peninsula, Quabbin Reservoir -

(a) That work be accepted as completed as of August 30, 1994.

(b) That Estimate No. 2 (Final), in the amount of $2,790.57, be approved for payment.
(Basis of Award - $10,000.00)
(Total to Date - $ 9,967.78)
(Contract Administrator Rating - 8.50 with 10.0 being excellent).
(EEO Compliance - N/A)

The Commission VOTED: that the work of Trustee's of Boston University, Consultant under Contract No. WM94-015-S1A, be and hereby is accepted as completed as of August 30, 1994.

The Commission further VOTED: to approve Estimate No. 2 (Final), in the amount of $2,790.57, for payment.

2. Report of Messrs. McGinn and Kane, July 12, requesting the following on Consultant Contract No. WM85-004-S1B, with Camp Dresser & McKee, Inc., for Phase II - Investigation of Three Water Supply Dams -

(a) That work be accepted as completed as of November 30, 1994.

(b) That reserve, in the amount of $23,671.44, be approved for payment.

(Basis of Award - $175,000.00)
(Total to Date - $236,714.42)
(Contract Performance Rating - 9.00 with 10.00 being excellent)
(EEO Compliance - N/A)

The Commission V O T E D: that the work of Camp Dresser & McKee, Inc., Consultant under Contract No. WM85-0004-S1B, be and hereby is accepted as completed as of November 30, 1994.
The Commission further V O T E D: to approve release of reserve, in the amount of $23,671.44, for payment.

1. Report of Messrs. McGinn and Kane, July 20, requesting approval of a revision in quantities on Item No. 02722.6, Excavate, Dewater, Furnish and Install 24-inch Drain Pipe between Headwall and MH-5, and Backfill, as directed - $59,100.00, on Contract No. WM94-007-C1A, with WES Construction Corp., for Construction of Expedient Repairs to Goodnough Dike, Quabbin Reservoir, Ware.
Funds available in Account No. 2420-8881.
The Commission V O T E D: Approved.

2. Report of Messrs. McGinn and O'Connor, August 1, submitting for approval and execution Contract No. WM96-036-S1A, with United States Geological Survey, Water Resources Division, for completing a comprehensive evaluation and analysis of tributary watersheds draining into Quabbin Reservoir.
USGS Cost Share - $17,362.50
MDC Cost Share - $99,937.50 - Account No. 2420-1400
Time for Performance - August 15, 1995 through December 31, 1996.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Contract No. WM96-036-S1A, dated August 10, 1995, with United States Geological Survey, Water Resources Division, which was signed by the Commissioner and three Associate Commissioners.

The following matter was placed on the agenda for the information of the Commission:

3. The following schedules were approved for payment by the Commissioner during the period from May 1, 1995 to May 31, 1995.

Expenditures $3,257,009.57

Adjourned at 10:30 a.m., to meet on Thursday, August 17, 1995, at 9:00 a.m.

William F. Cushl
Secretary

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Record of the Three Thousand Seven Hundred and Fortieth (3740th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, August 17, 1995 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort and Wu.

The Records of the Commission Meeting held on August 3, 1995 were read and approved.

The Secretary submitted for signature the following paper which was signed by the Commissioner and four Associate Commissioners:

1. Contract No. P95-1803-C1A, dated August 17, 1995, with J. Marchese & Sons, Inc., for Repairing/Replacing Bituminous and Cement Concrete Sidewalks and Curbing at Various Locations Throughout the Metropolitan District.

Action was taken upon the following matters relating to the Engineering and Construction Division:

2. Report of Messrs. Faucher and Jackson, July 27, submitting for approval Project Summary, Project Justification, Work Schedule and requesting authorization to advertise Project No. P96-1815-C1A, for Reconstruction of Charlesbank Playground, Charles River Esplanade, Boston.
Estimated Cost - $175,000.00.
Time for Performance - three months.
Account No. 2440-8952.
The Commission VOTED: Approved.
The Commission further VOTED: authorization to advertise Project No. P96-1815-C1A, for Reconstruction of Charlesbank Playground, Charles River Esplanade, Boston.

3. Report of Messrs. Faucher and Jackson, August 8, recommending approval of Extra Work Orders on Contract No. P93-1661-C1A, with I. W. Harding Construction Co., Inc., for Improvements to Father Francis A. Ryan Memorial Playground, Mattapan, as follows -

Extra Work Order No. 6 Construct Drainage Swale	**$3,804.21**
Extra Work Order No. 7 Extension of Cement Concrete Bleacher Pad	**$ 629.08**
Total Cost -	**$4,433.29**

(At no increase in Contract cost as the extra work will be offset by unused funds in Extra Work Order No. 5 - which was to remove and replace the perimeter fence along the river).
The Commission VOTED: to approve Extra Work Order 6, in the amount of $3,804.21.
The Commission further VOTED: to approve Extra Work Order 7, in the amount of $629.08.

4. Report of Messrs. Faucher and Haider, August 8, recommending the following on Contract No. P94-1727-C1A, with Great Northern Group, for Demolition of the Belmont Skating Rink and the Martin House, Milton -

(a) That work be accepted as completed as of May 31, 1995.
(b) That Estimate No. 5 (Final), in the amount of $7,154.60, be approved for payment.
(c) That reserve, in the amount of $16,161.86, be approved for payment.

(Basis of Award - $286,598.00)
(Amount to Date - $323,237.14)
(Contract Administration Rating - 4.30)
(EEO Compliance - 4.60)

The Commission VOTED: that the work of Great Northern Group, Contractor under Contract No. P94-1727-C1A, be and hereby is accepted as completed as of May 31, 1995.

The Commission further VOTED: to approve Estimate No. 5 (Final), in the amount of $7,154.60, for payment.

The Commission further VOTED: to approve release of reserve, in the amount of $16,161.86, for payment.

1. Report of Messrs. Faucher and Jackson, August 8, recommending the following on Contract No. P82-1034-C1B, with Northern Tree Services, Inc., for Landscape Improvements at Beaver Brook Reservation -

(a) That work be accepted as completed as of June 1, 1995.
(b) That Estimate No. 10 (Final), in the amount of $17,333.46, be approved for payment.
(c) That reserve, in the amount of $36,305.43, be approved for payment.

(Basis of Award - $1,208,000.00)
(Amount to Date - $1,394,240.91)
(Contract Administration Rating - 3.83)
(EEO Compliance - 4.40)

The Commission VOTED: that the work of Northern Tree Services, Inc., Contractor under Contract No. P82-1034-C1B, be and hereby is accepted as completed as of June 1, 1995.

The Commission further VOTED: to approve Estimate No. 10 (Final), in the amount of $17,333.46, for payment.

The Commission further VOTED: to approve release of reserve, in the amount of $36,305.43, for payment.

2. Report of Messrs. Faucher and Arinella, July 28, recommending the following on Contract No. P93-1692-M1A, with Balfour Engineering Co., Inc., for Service to Hydraulic Power System, MDC Flood Control, Navigational Division -

(a) That work be accepted as completed as of June 30, 1995.
(b) That Estimate No. 5 (Final), in the amount of $21,099.50, be approved for payment.
(c) That reserve, in the amount of $2,050.50, be approved for payment.

(Basis of Award - $79,650.00)
(Amount to Date - $76,507.00)
(Contract Administration Rating - 4.17)
(EEO Compliance - Waived)

The Commission VOTED: that the work of Balfour Engineering Co., Inc., Contractor under Contract No. P93-1692-M1A, be and hereby is accepted as completed as of June 30, 1995.

The Commission further VOTED: to approve Estimate No. 5

(Final), in the amount of $21,099.50, for payment.
The Commission further VOTED: to approve release of reserve, in the amount of $2,050.50, for payment.

1. Report of Messrs. Faucher, DiPietro and Ivas, August 1, recommending the following on Contract No. P87-1449-M4A, with Aquatech, Inc., for FY1995 Water Quality Testing at MDC Recreational Waters -

(a) That work be accepted as completed as of June 30, 1995.
(b) That retainage, in the amount of $2,994.51, be approved for payment.

(Basis of Award - FY95 - $30,000.00)
(Amount to Date - FY95 - $29,945.10)
(Contract Administration Rating - 9.50 with 10.00 being excellent).

The Commission VOTED: that the work of Aquatech, Inc., Contractor under Contract No. P87-1449-M4A, be and hereby is accepted as completed as of June 30, 1995.
The Commission further VOTED: to approve release of retainage, in the amount of $2,994.51, for payment.

2. Report of Messrs. Faucher and Sacco, August 8, recommending the following on Contract No. P82-1047-D1A, with Howard, Needles, Tammen and Bergendoff, for Rehabilitation of General Edwards Bridge, Lynnway and Carroll Parkway, Revere and Lynn -

(a) That work be accepted as completed as of October 1, 1994.
(c) That reserve, in the amount of $20,218.23, be approved for payment.

(Basis of Award - $ 665,744.00)
(Amount to Date - $1,490,659.87)
(Consultant Performance Rating - 7.00 with 10.00 being excellent)
(EEO Compliance - N/A)

The Commission VOTED: that the work of Howard, Needles, Tammen and Bergendoff, Consultants under Contract No. P82-1047-D1A, be and hereby is accepted as completed as of October 1, 1994.
The Commission further VOTED: to approve release of reserve, in the amount of $20,218.23, for payment.

3. Report of Messrs. Faucher and Haider, June 23, recommending the following on Contract No. P95-1795-C1A, with Tar-Vel Roofing Co., Inc., for Removal of and Replacement with Built-Up Cold Process Systems, MDC Facility Roof -

(a) That work be accepted as completed as of June 23, 1995.
(b) That Estimate No. 3 (Final), in the amount of $40,977.30, be approved for payment.
(c) That reserve, in the amount of $19,382.45, be approved for payment.

(Basis of Award - $358,825.00)
(Amount to Date - $387,649.00)
(Contract Administration Rating - 4.60)
(EEO Compliance - 5.00)

The Commission VOTED: that the work of Tar-Vel Roofing Co., Inc., Contractor under Contract No. P95-1795-C1A, be and hereby

is accepted as completed as of June 23, 1995.
The Commission further VOTED: to approve Estimate No. 3 (Final), in the amount of $40,977.30, for payment.
The Commission further VOTED: to approve release of reserve, in the amount of $19,382.45, for payment.

1. Report of Messrs. Faucher and Lenhardt, August 9, recommending the following on Contract No. P95-1808-C1A, with Narayana Construction Corp., Inc., Emergency Girder Repair, John J. Beades Drawbridge, Dorchester -

(a) That the 50% provision of Article XVI of the Contract be waived retroactively.
(b) That the amount of work performed by Saugus Construction Corporation be increased from $12,000.00 to $40,000.00.

(Narayana Construction Corp., Inc., will be reprimanded in writing for not obtaining prior approval for the revision and exceeding the 50% subcontracting provision of the Contract).
At this point, a lengthy discussion took place concerning the Commission's displeasure with the Contractor not obtaining prior approval of the revision and exceeding the 50% subcontracting provision of the Contract.
The Commission then questioned the legal ramifications if they decide not to approve the waiver of Article XVI, which calls for a 50% work effort by the Contractor.
The Commission VOTED: to Hold Over the item pending a determination by the General Counsel as to the legal ramifications if the Commission votes to either approve or disapprove the recommendation of the Division concerning Article XVI.

2. Report of Messrs. Faucher and Lenhardt, July 19, recommending the following on Contract No. P95-1808-C1A, with Narayana Construction Corp., for Emergency Girder Repair, John J. Beades Drawbridge, Dorchester -

(a) That work be accepted as completed as of June 8, 1995.
(b) That Estimate No. 2 (Final), in the amount of $5,225.00, be approved for payment.
(c) That reserve, in the amount of $3,315.80, be approved for payment.

(Basis of Award - $66,800.00)
(Amount to Date - $66,315.99)
(Contract Administration Rating - 4.00)
(EEO Compliance - no evaluation given)

Associate Commissioner Carr expressed his disagreement with the Contract Administration Rating of 4.00 given to the Contractor. He was of the opinion that the Rating should have been much lower considering the fact that the Contractor did not obtain permission for a revision in the Contract and exceeding the 50% subcontracting provisions of the Contract.
The Commission VOTED: that the work of Narayana Construction Corp., Contractor under Contract No. P95-1808-C1A, be and hereby is accepted as completed as of June 8, 1995.
The Commission further VOTED: to approve Estimate No. 2 (Final), in the amount of $5,225.00, for payment.

The Commission further V O T E D: to approve release of reserve, in the amount of $3,315.80, be approved payment.

1. Report of Messrs. Faucher and Carrigan, August 9, recommending approval of revisions in quantities on Contract No. P94-1732-C1A, with Bardon Trimount, Inc., for Resurfacing of Parkways at Various Locations within the Metropolitan District -
Item No. 019-010 - Traffic Markings - $111.65
Item No. 035-030 - 12" Concrete Pipe - $600.00
Total Cost - $711.65
(At no increase in Contract cost as the revisions will be offset by unused quantities in Item No. 020-010 - Traffic Signal Detector Loops and Item No. 034-010 - Drainage Pipe Removed).
The Commission V O T E D: Approved.

2. Report of Messrs. Faucher and Arinella, July 28, recommending the following on Contract No. P93-1691-M1A, with RDA Construction Corporation, for Service to Various Underwater Structures, Flood Control Navigational Division -
(a) That work be accepted as completed as of June 30, 1995.
(b) That Estimate No. 7 (Final), in the amount of $5,449.88, be approved for payment.
(c) That reserve, in the amount of $4,693.80, be approved for payment.
(Basis of Award - $ 98,590.00)
(Amount to Date - $200,221.77)
(Contract Administration Rating - 4.00)
(EEO Compliance - 3.66)
The Commission V O T E D: that the work of RDA Construction Corporation, Contractor under Contract No. P93-1691-M1A, be and hereby is accepted as completed as of June 30, 1995.
The Commission further V O T E D: to approve Estimate No. 7 (Final), in the amount of $5,449.88, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $4,693.80, for payment.

3. Report of Messrs. Faucher and Jackson, July 27, recommending the following on Contract No. P93-1668-C1A, with Ledgewood Construction Co., Inc., for Improvements to Playground at Castle Island -
(a) That work be accepted as completed as of June 12, 1995.
(b) That Estimate No. 8 (Final), in the amount of $9,564.57, be approved for payment.
(c) That reserve, in the amount of $17,345.90, be approved for payment.
(Basis of Award - $344,000.00)
(Amount to Date - $346,917.97)
(Contract Administration Rating - 5.00)
(EEO Compliance - 4.80)
The Commission V O T E D: that the work of Ledgewood Construction Co., Inc., Contractor under Contract No. P93-1668-C1A, be and hereby is accepted as completed as of June 12, 1995.
The Commission further V O T E D: to approve Estimate No. 8 (Final), in the amount of $9,564.57, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $17,345.90, for payment.

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1. Report of Messrs. Faucher and Haider, July 27, recommending the following on Contract No. P94-1739-C1B, with Patrick J. Kennedy & Sons, Inc., for Installation of New Gas Line and Boiler Systems at North Central Garage Cluster and at Nahant, the Installation of Garage Door and Sealing Other Garage Door Opening -

(a) That work be accepted as completed as of May 31, 1995.
(b) That Estimate No. 4 (Final), in the amount of $25,366.90, be approved for payment.
(c) That reserve, in the amount of $8,670.10, be approved for payment.

(Basis of Award - $149,500.00)
(Amount to Date - $173,402.00)
(Contract Administration Rating - 3.50)
(EEO Compliance - 3.00)

The Commission VOTED: that the work of Patrick J. Kennedy & Sons, Inc., Contractor under Contract No. P94-1739-C1B, be and hereby is accepted as completed as of May 31, 1995.
The Commission further VOTED: to approve Estimate No. 4 (Final), in the amount of $25,366.90, for payment.
The Commission further VOTED: to approve release of reserve, in the amount of $8,670.10, for payment.

2. Report of Messrs. Faucher and Brooks, May 24, recommending the following on Contract No. P92-1630-C2A, with Boston Graving Dock Corp., for Removal of Tugboats from Charles River, Lower Basin -

(a) That work be accepted as completed as of March 28, 1995.
(b) That Estimate No. 7 (Final), in the amount of $19,264.95, be approved for payment.
(c) That reserve, in the amount of $15,178.25, be approved for payment.

(Basis of Award - $ 49,990.00)
(Amount to Date - $303,564.98)
(Contract Administration Rating - 4.20)
(EEO Compliance - N/A)

The Commission VOTED: that the work of Boston Graving Dock Corp., Contractor under Contract No. P92-1630-C2A, be and hereby is accepted as completed as of March 28, 1995.
The Commission further VOTED: to approve Estimate No. 7 (Final), in the amount of $19,264.95, for payment.
The Commission further VOTED: to approve release of reserve, in the amount of $15,178.25, be approved for payment.

3. Report of Messrs. Faucher and Arinella, August 4, recommending the following on Contract No. P95-1791-C1A, with F. M. Emergency Generator, Inc., for Emergency Removal and Replacement of a 250 KW Generator at the Amelia Earhart Locks and Dam, Somerville -

(a) That work be accepted as completed as of June 22, 1995.
(b) That Estimate No. 2F (Final), in the amount of $7,374.79, be approved for payment.
(c) That reserve, in the amount of $1,940.74, be approved for payment.

(Basis of Award - $38,814.70)
(Amount to Date - $38,814.70)
(Contract Administration Rating - 4.00)
(EEO Compliance - 3.50)

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The Commission V O T E D: that the work of F. M. Emergency Generator, Inc., Contractor under Contract No. P95-1791-C1A, be and hereby is accepted as completed as of June 22, 1995.
The Commission further V O T E D: to approve Estimate No. 2F (Final), in the amount of $7,374.79, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $1,940.74, be approved for payment.

1. Report of Messrs. Faucher, Brooks and DeLuca, August 8, recommending approval of an extension of time from June 30, 1995 to October 6, 1995, on Contract No. P94-1723-C1A, with CCM Corporation, for Critical Repairs to Swimming Pools and Service Buildings at Various MDC Locations.
(The extension shall not effect liquidated damages under Article No. 21 and shall not operate as a waiver of any of the Commission's rights under the Contract).
The Commission V O T E D: to approve an extension of time from June 30, 1995 to October 6, 1995, as recommended by Messrs. Faucher, Brooks and DeLuca in their report of August 8, 1995, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation and that this extension of time shall in no way effect the liquidated damages in Article No. 21, that may be due to the Commission and shall not operate as a waiver on the part of the Commission or in any of its rights under the Contract.

2. Report of Messrs. Faucher and Sacco, August 4, recommending the following on Contract No. P95-1768-C1B, with B.S.A. Painting Co., Inc., for Sandblasting & Painting Everett, Chelsea Pools and Stoneham Wading Pool -
(a) That work be accepted as completed as of June 10, 1995.
(b) That Estimate No. 3 (Final), in the amount of $17,672.85, be approved for payment.
(c) That reserve, in the amount of $3,625.00, be approved for payment.

(Basis of Award - $83,340.00)
(Amount to Date - $72,500.00)
(Contract Administration Rating - 3.77)
(EEO Compliance - 3.60)

The Commission V O T E D: that the work of B.S.A. Painting Co., Inc., Contractor under Contract No. P95-1768-C1B, be and hereby is accepted as completed as of June 10, 1995.
The Commission further V O T E D: to approve Estimate No. 3 (Final), in the amount of $17,672.85, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $3,625.00, for payment.

3. Report of Messrs. Faucher and Mayhew, August 9, on bids for Installation of New Roofing Systems at the William T. Shea Rink, Quincy; Walter D. Bryan Rink, West Roxbury and James F. Reilly Rink, Brighton. Contract No. P95-1812-C1A.
(Messrs. Faucher and Mayhew recommend acceptance of the lowest bid received, that of Tar Vel Roofing Co., of $912,000.00. Messrs. Faucher and Mayhew also request execution of the Contract).

The Commission V O T E D: to accept the lowest bid received, that of Tar Vel Roofing Co., of $912,000.00.
The Secretary then submitted for signature Contract No. P95-1812-C1A, with Tar Vel Roofing Co., which was signed by the Commissioner and three Associate Commissioners.

1. Report of Mr. Faucher and Ms. Pomorska, June 30, recommending the following on Contract No. P93-1666-C1A, with Tri State Signal, for Reconstructing Traffic Signal Systems - Two Locations, Gallivan Boulevard, Intersections of Washington Street and Dorchester Avenue -
(a) That work be accepted as completed as of May 30, 1995.
(b) That Estimate No. 4 (Final), in the amount of $19,117.70, be approved for payment.
(c) That reserve, in the amount of $8,714.35, be approved for payment.
(Basis of Award - $212,164.75)
(Amount to Date - $174,286.90)
(Contract Administration Rating - 4.10)
(EEO Compliance -)
The Commission V O T E D: that the work of Tri State Signal, Contractor under Contract No. P93-1666-C1A, be and hereby is accepted as completed as of May 30, 1995.
The Commission further V O T E D: to approve Estimate No. 4 (Final), in the amount of $19,117.70, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $8,714.35, for payment.

Action was taken upon the following matter relating to the Office of Planning:

2. Report of Mrs. O'Brien, August 11, recommending the following on Contract No. PL-92-010-S2A, with Howe Surveying Associates, Inc., for Mapping and Boundary Services for Alewife Reservation and Alewife Brook Parkway -
(a) That work be accepted as completed as of June 30, 1995.
(b) That Estimate No. 6 (Final), in the amount of $205.38, be approved for payment.
(c) That reserve, in the amount of $2,103.20, be approved for payment.
(Basis of Award - $21,032.00)
(Amount to Date - $21,032.00)
(Contract Administration Rating - 7.00 with 10.00 being excellent)
(EEO Compliance - N/A)
The Commission V O T E D: Held Over.

Action was taken upon the following matter relating to the Office of Real Property:

3. Report of Messrs. Gray and Comeau, August 10, requesting approval of the following on Consultant Contract No. RP-0006-6, with Daylor Consulting Group, Inc., for Professional Land Surveying Services for Parks Acquisition Program -
(a) That work be accepted as completed as of June 30, 1995.

(b) That Invoice No. 1 (Final), in the amount of $22,950.00, be approved for payment.
(c) That retainage, in the amount of $2,550.00, be approved for payment.
(Basis of Award - $25,500.00)
(Amount to Date - $25,500.00)
(Consultant Performance Rating - 8.50 with 10.00 being excellent)
(EEO Compliance - N/A)

The Commission VOTED: that the work of Daylor Consulting Group, Inc., Consultant under Contract No. RP-0006-6, be and hereby is accepted as completed as of June 30, 1995.
The Commission further VOTED: to approve Invoice No. 1 (Final), in the amount of $22,950.00, for payment.
The Commission further VOTED: to approve release of retainage, in the amount of $2,550.00, for payment.

Action was taken upon the following Various Matters:

1. Report of Mr. Iovanna, August 10, requesting approval and authorization for Commissioner Balfour to execute on behalf of the Commission, Amendment to the Agreement with Angelo Picardi, for entertainment services as part of the Back to the Beaches events - at the following added locations -
Revere Beach - August 13, 1995
Savin Hill Beach - August 19, 1995
Nahant Beach - August 20, 1995
Nantasket Beach - August 26, 1995
The existing contract will be increased by $7,400.00, for a new total of $24,000.00.
Account No. 2448-0052.
The Commission VOTED: Approved.
The Commission further VOTED: authorization for Commissioner Balfour to execute on behalf of the Commission, Amendment to the Agreement with Angelo Picardi, for entertainment services as part of the Back to the Beaches events, as requested by Mr. Iovanna in his report of August 10, 1995.

2. Report of Mr. Iovanna, August 10, requesting approval and authorization for Commissioner Balfour to execute on behalf of the Commission, Agreement with Bruce Smick Amusements, Inc., for entertainment services as part of the Back to the Beaches events - at the following locations -
Revere Beach - August 13, 1995
Savin Hill Beach - August 19, 1995
Nahant Beach - August 20, 1995
Nantasket Beach - August 26, 1995
Cost not-to-exceed - $4,400.00.
Account No. 2440-0010.
The Commission VOTED: Approved.
The Commission further VOTED: authorization for Commissioner Balfour to execute on behalf of the Commission, Agreement with Bruce Smick Amusements, Inc., for entertainment services as part of the Back to the Beaches events, as requested by Mr. Iovanna in his report of August 10, 1995.

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Action was taken upon the following matter relating to the Watershed Management Division:

1. Report of Mr. McGinn and Ms. Crocker, August 10, recommending the following on Contract No. WM93-004-S1A, with Commonwealth Research Group, Inc., for Economic Impact Analysis for Watershed Protection -

(a) That work be accepted as completed as of June 30, 1995.
(b) That Invoice No. 12, in the amount of $15,598.05, be approved for payment.
(c) That Invoice No. 13, in the amount of $28,681.40, be approved for payment.

(Basis of Award - $287,588.00)
(Amount to Date - $288,814.02)
(Contract Performance Rating - 8.00 with 10.00 being excellent)
(EEO Compliance - N/A)

The Commission V O T E D: that the work of Commonwealth Research Group, Inc., Contractor under Contract No. WM93-004-S1A, be and hereby is accepted as completed as of June 30, 1995.

The Commission further V O T E D: to approve Invoice No. 12, in the amount of $15,598.05, for payment.

The Commission further V O T E D: to approve Invoice No. 13, in the amount of $28,681.40, for payment.

Adjourned at 10:20 a.m., to meet on Thursday, August 24, 1995, at 9:00 a.m.

Secretary

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Record of the Three Thousand Seven Hundred and Forty First (3741st) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, August 24, 1995 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Settles and Wu.

The Records of the Commission Meeting held on August 10, 1995 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher and Lenhardt, August 22, superceding their memo of August 9, recommending the following on Contract No. P95-1808-C1A, with Narayana Construction Corp., Inc., Emergency Girder Repair, John J. Beades Drawbridge, Dorchester -
(a) That a letter of reprimand from the Commission be sent to Narayana Construction Corporation for not obtaining prior approval for a revision and exceeding the 50% subcontracting provision of the Contract and that a copy of said letter be placed in the Contractor's pre-qualification file.
(b) That notwithstanding the provisions of Article XVI of the general conditions that the Commission consent to the change in the amount of work performed by Saugus Construction Corporation from $12,000.00 to $40,000.00.
The Commission VOTED: that a letter of reprimand from the Commission be sent to Narayana Construction Corporation for not obtaining prior approval for a revision and exceeding the 50% subcontracting provision of the Contract and that a copy of said letter be placed in the Contractor's pre-qualification file.
The Commission further VOTED: to consent to the change in the amount of work performed by Saugus Construction Corporation from $12,000.00 to $40,000.00, notwithstanding the provisions of Article XVI of the general conditions.

2. Report of Messrs. Faucher and Arinella, August 9, on bids for Service to Hydraulic Power Systems at Various Flood Control/ Navigation Sites. Contract No. P95-1799-M1A.
(Messrs. Faucher and Arinella recommend acceptance of the lowest bid received, that of Balfour Engineering of $31,600.00).
The Commission VOTED: to accept the lowest bid received, that of Balfour Engineering of $31,600.00.

3. Report of Mr. Faucher and Ms. Pomorska, August 14, on bids for Construction of Traffic Signals on Ocean Avenue, at the Intersection of Beach Street, Revere. Contract No. P95-1758-C1A.
(Mr. Faucher and Ms. Pomorska recommend acceptance of the lowest bid received, that of Coviello Electric and General Contracting Co., Inc., of $78,384.00).
The Commission VOTED: to accept the lowest bid received, that of Coviello Electric and General Contracting Co., of $78,384.00.

4. Report of Messrs. Faucher and Sacco, August 10, recommending ratification and approval of the action of Acting Director

Faucher resulting in the following revisions and extra work orders on Contract No. P95-1788-C1B, with A & M Roofing and Sheet Metal Co., Inc., for Critical Repairs to MDC Swimming Pools and Service Buildings -

REVISIONS IN QUANTITIES

Item No. 002-001 - Gravel Borrow	$ 2,700.00
Item No. 002-005 - Saw Cut Bit. Concrete	$ 180.00
Item No. 002-006 - Saw Cut Cement Concrete	$ 675.00
Item No. 002-007 - Regrade/Compact Exist Gravel	$ 1,831.10
Item No. 002-009 - Bit. Concrete Removal	$ 2,500.00
Item No. 004-002 - 8" Concrete Block	$ 700.00
Item No. 004-008 - 4" Single Faced Glazed Blocks	$ 7,414.00
Item No. 011-003 - 2" Copper Pipe	$ 720.00
Item No. 011-020 - 2" Cast Iron Pipe	$ 2,700.00
Item No. 011-021 - 3" Cast Iron Pipe	$ 1,840.00
Total -	**$21,260.10**

EXTRA WORK ORDERS

Extra Work Order No. 1 Additional Work Women's Lavatory, Cass Pool	$ 8,133.08
Extra Work Order No. 2 Work on New Concrete Deck and Loam and Sod, McCrehan Pool	$ 3,018.77
Extra Work Order No. 3 Erect, Maintain and Remove Temporary Partitions Cass Pool and Latta Pool	$ 3,559.04
Extra Work Order No. 4 Furnish and Install Lintels in Door Openings, Magazine Beach Pool	$ 1,752.68
Extra Work Order No. 5 Removal of Concrete Diving Board Base and Grounding Lifeguard Chairs and Ladders	$ 3,088.38
Total -	**$19,551.95**

(At no increase in Contract cost as the extra work and revisions will be offset by unused quantities in Items Nos. 002-002, 002-003, 002-008, 003-006, 004-003, 004,005, 004-006, 008-007, 011-018, 011-029 and 011-044).

The Commission VOTED: to ratify and approve the action of Acting Director Faucher which resulted in revisions in quantities and extra work orders on Contract No. P95-1788-C1B.

The Commission further VOTED: to approve the revisions in quantities as recommended by Messrs. Faucher and Sacco in their report of August 10, 1995.

The Commission further VOTED: to approve Extra Work Order No. 1, in the amount of $8,133.08.

The Commission further VOTED: to approve Extra Work Order No. 2, in the amount of $3,018.77.

The Commission further VOTED: to approve Extra Work Order No. 3, in the amount of $3,559.04.

The Commission further VOTED: to approve Extra Work Order No. 4, in the amount of $1,752.68.

The Commission further VOTED: to approve Extra Work Order No. 5, in the amount of $3,088.38.

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1. Report of Messrs. Faucher and Sacco, August 14, recommending ratification and approval of the action of Acting Director Faucher resulting in the following revisions and extra work orders on Contract No. P82-1128-C2A, with John J. Paonessa Co., Inc., for Rehabilitation of Mystic Valley Parkway, Winchester -

REVISIONS IN QUANTITIES

Item No. 002-062 - Class B Rock Excavation	$ 34,375.00
Item No. 005-023 - Manhole 7' Diameter	$ 7,000.00
Item No. 005-024 - Manhole 8' Diameter	$ 7,000.00
Item No. 006-030 - 12" Concrete Pipe	$ 6,408.00
Item No. 006-032 - 18" Concrete Pipe	$ 4,482.00
Item No. 006-035 - 36" Concrete Pipe	$ 5,580.00
Item No. 006-036 - 42" Concrete Pipe	$ 511.00
Item No. 012-006 - 6" PVC Sewer Pipe	$ 6,332.50
Item No. 012-008 - 8" PVC Sewer Pipe	$ 12,660.00
Item No. 012-010 - 10" PVC Sewer Pipe	$ 3,762.50
Item No. 020-011 - Field Stone Wall	$ 16,977.50
Item No. 013-004 - 4" Water Pipe	$ 390.00
Item No. 013-010 - 10" Water Pipe	$ 832.00
Total -	**$106,310.50**

EXTRA WORK ORDERS

Extra Work Order No. 3 Excavation of Existing Slab	$ 6,443.28
Extra Work Order No. 4 Installation of a New Concrete Protective Slab	$ 5,280.79
Total -	**$ 11,724.07**

(At no increase in Contract cost as the revisions and extra work will be offset by unused quantities in Item No. 002-061 - Class B Trench Excavation, Item No. 013-020 - Cast Iron Fittings for Water Pipe and a previously acknowledged credit of unused quantities of $62,000.00).

The Commission VOTED: to ratify and approve the action of Acting Director Faucher which resulted in revisions in quantities and extra work orders on Contract No. P82-1128-C2A.

The Commission further VOTED: to approve the revisions in quantities as recommended by Messrs. Faucher and Sacco in their report of August 14, 1995.

The Commission further VOTED: to approve Extra Work Order No. 3, in the amount of $6,443.28.

The Commission further VOTED: to approve Extra Work Order No. 4, in the amount of $5,280.79.

2. Report of Messrs. Faucher and Sacco, August 9, on bids for Installation of Submarine Cables, John J. Beades Drawbridge, Dorchester. Contract No. P92-1646-C2B.

(Messrs. Faucher and Sacco recommend acceptance of the lowest bid received, that of W. H. Hughes, Inc., of $109,000.00).

The Commission VOTED: to accept the lowest bid received, that of W. H. Hughes, Inc., of $109,000.00.

3. Report of Messrs. Faucher and Arinella, August 9, on bids for Service to Underwater Structures at Various Flood Control/Navigation Sites. Contract No. P95-1800-M1A.

(Messrs. Faucher and Arinella recommend acceptance of the lowest bid received, that of Rust Utility Service, Inc., of $47,625.00).

The Commission V O T E D: to accept the lowest bid received, that of Rust Utility Service, Inc., of $47,625.00.

1. Report of Messrs. Faucher, DiPietro and Miss Clutchey, August 14, recommending the following on Contract No. P95-1765-X1A, with Motorola, Inc., for Installation of Air Quality Monitoring Systems Ice Skating Rinks -

(a) That work be accepted as completed as of June 30, 1995.
(b) That retainage, in the amount of $5,994.00, be approved for payment.

(Basis of Award - $59,944.87)
(Amount to Date - $59,944.87)
(Contract Administration Rating - 9.50 with 10.00 being excellent)
(EEO Compliance - N/A)

The Commission V O T E D: that the work of Motorola, Inc., Contractor under Contract No. P95-1765-X1A, be and hereby is accepted as completed as of June 30, 1995.
The Commission further V O T E D: to approve release of retainage, in the amount of $5,994.00, for payment.

2. Report of Messrs Faucher and DeLuca, August 10, recommending approval of revisions in quantities on Contract No. P94-1722-M1A, with Allied Weatherproofing Co., Inc., for Service and Repairs to Swimming Pools and Service Buildings -

Item No. 001-020	- Communications Services	**$ 2,272.55**
Item No. 003-004	- New Bituminous Concrete	**$19,500.00**
Item No. 007-001	- Technical Services	**$ 6,262.50**
Item No. 007-002	- Labor	**$ 9,637.50**
Item No. 007-003	- Emergency Repairs to Recirculator Pumps and Motors	**$ 2,250.21**
	Total -	**$40,212.76**

(At no increase in Contract cost as revisions will be offset by unused quantities in various items.
The Commission V O T E D: to approve the revisions in quantities, as recommended by Messrs. Faucher and DeLuca in their report of August 10, 1995.

3. Report of Messrs. Faucher and DeLuca, August 15, recommending the following on Contract No. P94-1722-M1A, with Allied Weatherproofing Co., Inc., for Service and Repairs to Swimming Pools and Service Buildings -

(a) That work be accepted as completed as of April 27, 1995.
(b) That Estimate No. 2 (Final), in the amount of $206,467.57, be approved for payment.
(c) That reserve, in the amount of $14,513.61, be approved for payment.

(Basis of Award - $290,310.00)
(Total to Date - $290,272.35)
(Contract Administration Rating - 3.00)
(EEO Compliance - 1.25)

The Commission V O T E D: that the work of Allied Weatherproofing Co., Inc., Contractor under Contract No. P94-1722-M1A, be and hereby is accepted as completed as of April 27, 1995.
The Commission further V O T E D: to approve Estimate No. 2

(Final), in the amount of $206,467.57, for payment.
The Commission further VOTED: to approve release of reserve, in the amount of $14,513.61, for payment.

1. Report of Messrs. Faucher and Graham, August 22, recommending the following on Service Contract No. P95-1759-C1A, with Franklin Environmental Services, Inc., for Removal of Contaminated Soil from Central Services Yards in East Cambridge and Stoneham.
(a) That work be accepted as completed as of June 30, 1995.
(b) That the Commission approve payment in the amount of $19,000.00.
The Commission VOTED: that the work of Franklin Environmental Services, Inc., Contractor under Contract No. P95-1757-C1A, be and hereby is accepted as completed as of June 30, 1995.
The Commission further VOTED: to approve payment in the amount of $19,000.00 to Franklin Environmental Services, Inc., as recommended by Messrs. Faucher and Graham in their report of August 22, 1995.

2. Report of Messrs. Faucher, Brooks and Haider, August 11, requesting that the Commission amend the vote of July 27, 1995, approving and giving authorization to advertise Contract No. P96-1816-C1A, for Installation of Heating and Dehumidification System, Connell Pool, Weymouth, by increasing the estimated cost from $65,000.00 to $130,000.00 - due to the need for additional work. Account No. 2440-8952.
The Commission VOTED: to amend its vote of July 27, 1995, approving and giving authorization to advertise Contract No. P96-1816-C1A, for Installation of Heating and Dehumidification System, Connell Pool, Weymouth, by increasing the estimated cost from $65,000.00 to $130,000.00 - due to the need for additional work, as recommended by Messrs. Faucher, Brooks and Haider in their report of August 11, 1995.

3. Report of Messrs. Faucher and Graham, August 22, recommending the following on Contract-Agreement No. P95-1759-X1A, with Weston and Sampson Engineers, Inc., for Consultation and Preparation and Submission of a Management Plan for the Lawful Operation of a Solid Waste Yard at Central Services, East Street, Cambridge -
(a) That work be accepted as completed as of June 30, 1995.
(b) That Commission approve final payment in the amount of $18,069.87 plus $598.87 in retainage.
The Commission VOTED: that the work of Weston and Sampson Engineering, Inc., Consultant under Contract-Agreement No.P95-1759-X1A, be and hereby is accepted as completed as of June 30, 1995.
The Commission further VOTED: to approve final payment in the amount of $18,069.87 plus $598.87 in retainage, for payment.

Action was taken upon the following matter relating to the Office of Planning:

4. Report of Mrs. O'Brien, August 11, recommending the following on Contract No. PL-92-010-S2A, with Howe Surveying Associates, Inc., for Mapping and Boundary Services for Alewife Reservation and

Alewife Brook Parkway -
(a) That work be accepted as completed as of June 30, 1995.
(b) That Estimate No. 6 (Final), in the amount of $205.38, be approved for payment.
(c) That reserve, in the amount of $2,103.20, be approved for payment.
(Basis of Award - $21,032.00)
(Amount to Date - $21,032.00)
(Contract Administration Rating - 7.00 with 10.00 being excellent)
(EEO Compliance - N/A)

The Commission VOTED: that the work of Howe Surveying Associates Inc., Consultant under Contract No. PL-92-010-S2A, be and hereby is accepted as completed as of June 30, 1995.

The Commission further VOTED: to approve Estimate No. 6 (Final), in the amount of $205.38,for payment.

The Commission further VOTED: to approve release of reserve, in the amount of $2,103.20, for payment.

Action was taken upon the following matter relating to the Watershed Management Division:

1. Report of Messrs. McGinn and Robert O'Connor, August 16, recommending the following on Contract No. WM94-020-C1A, with Northern Tree Service d/b/a Northern Construction, for Electrical Deer Fencing - Quabbin Reservoir -
(a) That work be accepted as completed as of June 30, 1995.
(b) That Invoice No. 3 (Release of Retainage), in the amount of $2,741.60, be approved for payment.
(Basis of Award - $49,432.08)
(Amount to Date - $49,432.08)
(Contract Administration Rating - 3.50)
(EEO Compliance - N/A)

The Commission VOTED: that the work of Northern Tree Service d/b/a Northern Construction, Contractor under Contract No. WM94-020-C1A, be and hereby is accepted as completed as of June 30, 1995.

The Commission further VOTED: to approve Invoice No. 3 (Release of Retainage), in the amount of $2,741.60, for payment.

Action was taken upon the following matters relating to the Office of Real Property:

1. Report of Mr. Gray, August 18, recommending that the Commission adopt an Order of Taking for acquisition of approximately 13.059 acres of land owned by Celia R. Oliver, located in the Town of Holden, Massachusetts, and to approve an award of damages in the amount of $80,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936.
The Commission VOTED: to adopt an Order of Taking for acquisition of approximately 13.059 acres of land owned by Celia R. Oliver, located in the Town of Holden, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, August 24, 1995.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Holden in the County of Worcester Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying on the southwesterly side of Wachusett Street, southerly of the intersection with Wood Street, and northerly of the intersection with Mason Road, more particularly bounded and described, as follows:

Beginning at an iron pin found, at a point on the westerly line of Wachusett Street, said point being at the northeasterly corner of a lot of land now or formerly of Bradford H. & Kathleen A. Sherblom;

Thence S. 84° 37′ 30" W., 246.65 feet, to another pin found at the northwesterly corner of the abutting lot;

Thence S. 02° 56′ 11" E., 192.61 feet, to a point at land now or formerly of the J. Stanley & Fred W. Holt Estates, the last two courses being by land now or formerly of B.H. & K.A. Sorblom;

Thence S. 68° 51′ 28" W., 339.25 feet, to a point;

Thence S. 68° 59′ 07" W., 344.32 feet, to a corner and land formerly of Clifford Wagner, late of Blithewood Realty Trust, now of the Commonwealth of Massachusetts, the last two courses being by land now or formerly of the J.S. & F.W. Holt Estates;

Thence N. 68° 28′ 40" W., 147.83 feet, to a point at the southerly end of a stone wall;

Thence N. 64° 36′ 21" W., by the stone wall, 252.00 feet, to a point at a corner of walls;

Thence N. 28° 22′ 59" E., by the wall, 27.21 feet, to a point;

Thence N. 33° 22′ 18" E., by the wall, 34.45 feet, to a point at the end of the wall;

Thence N. 39° 15′ 56" E., 377.54 feet, to a pile of stones found at land now or formerly of Charles W. Robinson, the last five courses being by land of the Commonwealth;

Thence N. 30° 38′ 49" E., 416.71 feet, to a point at land now or formerly of Michael J. Oliver;

Thence N. 84° 37′ 30" E., by land now or formerly of M. J. Oliver, 394.23 feet, to a point at a corner common to lands now or formerly of M.J. Oliver, of Michael F. & Mary A. Dowd, and of James S. Oliver;

Thence S. 05° 22′ 30" E., by land now or formerly of J.S. Oliver, 125.00 feet to an iron pin found, at other land now or formerly of Celia R. Oliver;

Thence on the same bearing, 268.51 feet, to an iron pin set at a corner;

Thence N. 84° 37′ 29" E., 290.00 feet, to an iron pin set at a point of curvature;

Thence Northeasterly by a curve to the left with a radius of 30.00 feet, an arc distance of 47.12 feet, to an iron pin set at a point on the westerly line of Wachusett Street, the last three courses being by other land now or formerly of Celia R. Oliver, as shown on the third plan referenced below;

Thence S. 05° 22′ 30" E., by the westerly line of Wachusett Street, 110.00 feet to the first mentioned iron pin, being the point and place of beginning.

Containing 13.059 acres, more or less, as calculated, based upon information shown on the engineered survey plans listed below.

The above description is based upon information from the following plans:

1) "Plan of Property in Holden, Mass. Owned by James Oliver", dated October 1, 1974, prepared by Thompson-Liston Associates, Inc., and recorded with Worcester District Registry of Deeds, as Plan 37, in Plan Book 411.

2) "Definitive Plan '1715 Wachusett Street' Holden, Massachusetts Owned & Developed by James S. Oliver," dated March 18, 1985, prepared by Fox Land Survey, and recorded with said Deeds as Plan 24, in Plan Book 538.

3) "Plan of Land in Holden, Massachusetts Prepared for Celia R. Oliver", dated January 17, 1995, which plan is to be recorded with said Deeds either with or subsequent to the recording of this instrument.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Wachusett Street which may be held by the supposed owner, and being the largest portion of the premises described in a deed from James S. Oliver to James S. Oliver and Barbara L. Oliver, husband and wife as tenants by the entirety, dated May 20, 1967, and recorded with Worcester District Registry of Deeds in Book 4779, Page 391. The title to the above described property is vested in Celia R. Oliver, as devisee under the will of James S. Oliver, Worcester County Probate No. 91P2231.

The above described property is represented upon Holden Assessors Tax Map 31 as most of Parcel 1.1.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Celia R. Oliver	$ 80,000.00

The Commission further VOTED: to approve an award of damages in the amount of $80,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, August 18, recommending that the Commission adopt an Order of Taking for acquisition of approximately 3.762 acres of land owned by Elizabeth H. Woodbury, located in the Town of Boylston, Massachusetts, and to approve an award of damages in the amount of $200,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936.
The Commission VOTED: to adopt an Order of Taking for acquisition of approximately 3.762 acres of land owned by Elizabeth H. Woodbury, located in the Town of Boylston, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, August 24, 1995.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Section 117 of Chapter 92 of the General Laws, and Sections 30, 31 and 32 of Chapter 184 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take under the provisions of Chapter 79 of the General Laws, a watershed preservation restriction and conservation easement in perpetuity in the name and for the benefit of the Commonwealth of Massachusetts, in the following described land situated in the Town of Boylston in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying on the southerly side of Scar Hill Road, at its intersection with the former Dover Road, a highway discontinued by vote of the Worcester County Commissioners in March 1904, more particularly bounded and described as follows:

Beginning at a drill hole set in the stone wall forming the southerly line of Scar Hill Road, said point lying 417.30 feet southeasterly of a stone bound found at the westerly end of the southerly line of said road, at land formerly of William R. Albertson, now of the Commonwealth of Massachusetts;

Thence S. 85° 13′ 35" E., by the stone wall, 308.33 feet, to a point;

Thence S. 87° 03′ 32" E., by the wall, 38.88 feet, to a point;

Thence S. 86° 24′ 28" E., by the wall, 93.35 feet, to a point;

Thence S. 84° 57′ 42" E., by the wall, 123.02 feet to a gap in the wall, the last four courses being by the southerly line of Scar Hill Road;

Thence S. 55° 57′ 11" E., 28.60 feet, leaving Scar Hill Road, and running to the northwesterly end of the continuation of the stone wall, along the former side line of Dover Road;

Thence S. 17° 24′ 00" E., by the wall, 10.22 feet, to a point;

Thence S. 28° 22′ 10" W., by the wall, 11.31 feet, to a point;

Thence S. 60° 11′ 53" W., by the wall, 7.98 feet, to a point;

Thence S. 67° 25′ 49" W., by the wall, 105.72 feet, to a point;

Thence S. 68° 19′ 42" W., by the wall, 111.78 feet, to a point;

Thence S. 69° 50′ 11" W., by the wall, 92.40 feet, to a point;

Thence S. 74° 16′ 49" W., by the wall, 116.05 feet to a point at the southwesterly end of the wall, the last seven courses being by the stone wall and northwesterly line of the former Dover Road;

Thence S. 82° 42′ 47" W., by the former road, 62.97 feet, to a point;

Thence S. 65° 59′ 05" W., by the former road, 114.37 feet, to a point;

Thence S. 57° 51′ 51" W., by the former road, 39.09 feet, to a point;

Thence S. 52° 16′ 49" W., by the former road, 52.17 feet, to a point;

Thence	S. 43° 43′ 14" W., by the former road, 138.70 feet, to a point;
Thence	S. 58° 37′ 00" W., by the former road, 53.11 feet, to a point;
Thence	S. 69° 09′ 57" W., by the former road, 43.60 feet, to a point, at land of owner unknown;
Thence	N. 81° 54′ 59" W., by land of owner unknown, 153.73 feet, to a point, at land, formerly of Albertson, now of the Commonwealth, said point lying N. 01° 55′ 55" W., 56.10 feet from a stone bound found at the corner formed by the northerly line of the former Dover Road, and the easterly line of the Commonwealth;
Thence	N. 01° 55′ 00" W., 134.62 feet to a concrete MDC bound set at the southwesterly corner of other land of Woodbury, which is to remain unrestricted by the provisions of this instrument;
Thence	N. 85° 50′ 55" E., 253.50 feet, to an MDC concrete bound set;
Thence	N. 26° 17′ 20" E., 340.49 feet, to the drill hole set in the stone wall on the southerly side of Scar Hill Road, being the point and place of beginning, the last two courses being by other land of Woodbury.

Containing 3.762 acres as shown upon a plan entitled "Commonwealth of Massachusetts, Metropolitan District Commission, Division of Watershed Management, Boylston (Worcester County) MA, Land Taking Plan for Watershed Protection", dated April 26, 1995, prepared by Thompson-Liston Associates, Inc. (hereinafter "the plan"), which plan shall be recorded with Worcester District Registry of Deeds and made a part of this order.

The aforementioned parcel is supposed to be owned by the following owner:

OWNER	RESTRICTION AREA TAKEN
Elizabeth H. Woodbury	3.762 acres

Meaning and intending to take hereby a watershed preservation restriction and conservation easement in, on and to the the above premises, howsoever the same may be bounded and described, and expressly including in the premises restricted hereby any portion or portions of the discontinued road formerly known as Dover Road which may be held by said supposed owner as a result of said discontinuance, such premises being the larger portion of the premises shown on the plan and designated as the conservation restriction area. The premises shown on the plan are described in a deed from Kimball R. Woodbury and Elizabeth H. Woodbury to Elizabeth H. Woodbury, dated July 29, 1982 and recorded with the Worcester District Registry of Deeds at Book 7532, Page 146.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all such rights, including easements, privileges and appurtenances of every name and nature as may be necessary to give full force, virtue and effect, in perpetuity, to the following restrictions on the use of the parcel of land hereinabove described:

1. No construction or placing of buildings or structures or parts thereof, or roads, ways, paths or portions thereof, shall be permitted on said premises;

2. No construction or placing of utilities or utility delivery systems or portions thereof, shall be permitted, except as necessary for the smaller portion of the premises shown on the plan and designated as the unrestricted area;

3. No septic systems or leach fields shall be permitted.

4. No excavation, dredging or removal of loam, peat, gravel, soil, rock or other mineral substance shall be permitted except as needed to maintain the land.

5. No storage, stockpiling, or use of hazardous materials, petroleum products, pesticides and herbicides, manure and fertilizers, shall be permitted.

6. No tillage.

7. No grazing or sheltering of livestock or animals shall be permitted.

8. No commercial or public recreational use shall be permitted, and no motorized or vehicular recreational use by the landowner shall be permitted.

9. No commercial timber harvesting or tree cutting shall be permitted, unless such harvesting or cutting is in compliance with the Massachusetts Forest Cutting Practices Act (M.G.L. c. 132, as ammended), and MDC Best Management Practices for Forest Management.

10. No other acts or uses detrimental to such watershed, as determined by the duly authorized representatives of said Commission, its successors or assigns or such other authority which shall for any time legally control or hold said restriction and easement.

The watershed preservation restriction and conservation easement hereby taken, grants the Commission, its successors and assigns, the right to enter upon the land hereinabove described at any time for the purpose of inspecting said land and enforcing the foregoing restrictions and remedying any violations of same, but does not grant the public any such rights. This right shall be in addition to any other remedies available to the Commission, its successors, assigns or other authority, for the enforcement of the foregoing restrictions and the remedying of any violations of same.

All other customary rights and privileges of ownership shall be retained by the owner, including the right to privacy.

The Commission awards damages sustained by the owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Elizabeth H. Woodbury	$ 200,000.00

The Commission further VOTED: to approve an award of damages in the amount of $200,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

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1. Report of Mr. Gray, August 18, recommending that the Commission adopt an Order of Taking for acquisition of approximately 49.93 acres of land owned by Oak Woods Realty, Inc., located in the Town of West Boylston, Massachusetts, and to approve an award of damages in the amount of $950,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 49.93 acres of land owned by Oak Woods Realty, Inc., located in the Town of West Boylston, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, August 24, 1995.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of West Boylston in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying on the northerly side of Winthrop Street, and the westerly side of Prescott Street, more particularly bounded and described as follows:

Beginning at the southwesterly corner of the parcel being described, at a point on the northerly line of Winthrop Street, at its westerly terminus, at land formerly of George H. Holmes, now of the Commonwealth of Massachusetts;

Thence S. 86° 29′ 00" E., by the northerly line of Winthrop Street, 169.72 feet to a point at land now or formerly of R.L. & V.M. Hager;

Thence Northwesterly, by a curve to the right, with a radius of 20.00 feet, an arc distance of 27.02 feet to a point;

Thence N. 09° 03′ 50" W., 163.94 feet, to a point of curvature;

Thence Southeasterly, by a curve to the right, with a radius of 20.00 feet, an arc distance of 35.81 feet to a point;

Thence S. 86° 29′ 00" E., 157.25 feet to a corner;

Thence S. 03° 31′ 00" W., 100.00 feet, to a corner and land now or formerly of S.J. & L.C. Forsberg, the last five courses being by land now or formerly of Hager;

Thence S. 86° 29′ 00" E., 128.00 feet, by land now or formerly of Forsberg to a corner at land now or formerly of J.C. Hester;

Thence N. 03° 31′ 00" E., 100.00 feet, to a corner;

Thence S. 86° 29′ 00" E., 374.86 feet, by lands now or formerly of Hester, of F.C. & M.E. Herx, and of J.K. Lankton, respectively, to a point of curvature;

Thence Southwesterly, by a curve to the right, with a radius of 20.00 feet, an arc distance of 31.42 feet, to a point;

Thence S. 03° 31′ 00" W., 160.00 feet, to a point of curvature;

Thence Northwesterly, by a curve to the right, with a radius of 20.00 feet, an arc distance of 31.42 feet, to a point on the northerly line of Winthrop Street, the last three courses being by land now or formerly of Lankton;

Thence S. 86° 29′ 00" E., by the northerly line of Winthrop Street, 90.00 feet to a point at land now or formerly of A.E. Benoit;

Thence Northeasterly, by a curve to the right, with a radius of 20.00 feet, an arc distance of 31.42 feet, to a point;

Thence N. 03° 31′ 00" E., 80.00 feet, to a corner, the last two courses being by land now or formerly of Benoit;

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Thence S. 86° 29′ 00" E., 148.48 feet, to a corner and land now or formerly of C.B. Blair Development Corp., Inc., this course being by lands now or formerly of Benoit and of E.E. & H.J.Peterson;

Thence N. 00° 41′ 00" W., 390.00 feet, to a point;

Thence N. 32° 04′ 41" E., 382.35 feet, to a point;

Thence N. 89° 19′ 00" E., 182.18 feet, to a corner and land now or formerly of B.L. Blakeney;

Thence N. 00° 41′ 00" W., 374.47 feet, to a corner, this course being by lands now of formerly of Blakeney, of R.J. Rondinone, of C.W. & A.G. Bartlett, and of T.J. & B.J. Arsenault, respectively;

Thence S. 86° 29′ 00" E., 181.95 feet, to a point of curvature;

Thence Southeasterly, by a curve to the right, with a radius of 20.00 feet, an arc distance of 29.95 feet, to a point on the westerly line of Prescott Street;

Thence N. 00° 41′ 00" W., by the westerly line of Prescott Street, 161.85 feet, to a point at land, now or formerly of P.A. Carlson;

Thence N. 78° 17′ 40" W., 432.78 feet, by land now or formerly of P.A. Carlson, to a corner;

Thence N. 14° 16′ 50" E., 336.19 feet, by lands now or formerly of P.A. Carlson, of F.A. & D.P. Meanor, and of M.C. Baldarelli, respectively, to a corner and land now or formerly of J.E. Jacobs;

Thence N. 75° 43′ 10" W., 105.74 feet, to a point;

Thence N. 83° 35′ 45" W., 64.73 feet, to a point;

Thence N. 75° 27′ 00" W., 1127.47 feet, to a corner, and land now or formerly of the Town of West Boylston Water District, the last three courses being by land now or formerly of Jacobs;

Thence S. 08° 29′ 50" E., 295.42 feet, to a corner;

Thence S. 80° 49′ 50" W., 300.00 feet to a corner, and land formerly of the County of Worcester, now of the Commonwealth of Massachusetts, the last two courses being by land now or formerly of the Town of West Boylston Water District;

Thence S. 08° 48′ 30" E., 737.16 feet, to a point at other land of the Commonwealth of Massachusetts, under the control of the Division of Watershed Management of the Metropolitan District Commission, this course being by land of the Commonwealth currently under the control of the Division of Capital Planning and Operations;

Thence S. 09° 03′ 43" E., 933.68 feet, to the first mentioned point on the northerly line of Winthrop Street, being the point and place of beginning, this course being by land of the Commonwealth, under the control of the Division of Watershed Management of the MDC.

Containing approximately 49.93 acres, and shown as Parcel "2" upon a plan entitled "Plan of Land Located In West Boylston, MA Owned By Oak Woods Realty, Inc., 87 Main St. Rutland, MA", dated September 16, 1992, and drawn by James B. Kalloch, R.L.S.& P.E., which plan is recorded with the Worcester District Registry of Deeds as Plan 39, in Plan Book 665.

There is specifically excluding from the premises taken hereby, a certain parcel of property reportedly belonging to the Inhabitants of the Town of West Boylston, lying within the above described premises and located approximately 750 feet northerly of the northerly line of Winthrop Street, and approximately 700 feet westerly of the westerly line of Prescott Street, containing 3.23 acres, more or less, by estimate, and being more particularly bounded and decsribed as follows:

Beginning at a point on the southerly line of the parcel being described, said point lying N. 03° 31′ 00" W., 550 feet, more or less, from the concluding point of the fifth course of the description set forth above;

Thence S. 86° 29′ 00" E., 293.44 feet, to a point of curvature;

Thence Northeasterly, by a curve to the right, with a radius of 275.31 feet, an arc distance of 380.73 feet, to a point;

Thence N. 14° 16′ 50" E., 19.91 feet, to the easternmost point of the property being described;

Thence N. 75° 26′ 57" W., 675.35 feet, to the northwestern corner of the lot;

Thence S. 08° 25′ 40" E., 364.56 feet, to a point of curvature;

Thence Southeasterly, by a curve to the right, with a radius of 20.23 feet, an arc distance of 27.56 feet, to the first mentioned point of this excluded parcel, being the point and place of beginning.

It is noted that certain abutters named at the northeasterly corner of the premises on the above cited recorded plan, are not the proper owners; rather, the proper owners who should be listed at the northeasterly corner of the property, are N/F Carlson, N/F Meanor, and N/F Baldarelli, moving from South to North.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Winthrop Street and/or Prescott Street which may be held by the supposed owner, and any and all other paper streets being shown on any recorded and unrecorded plan, and being most of the same premises described in a deed from C. Bartlett Farnsworth II to Oak Woods Realty, Inc., dated October 3, 1986 and recorded with said Deeds at Book 9857, Page 95.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land; but the said Commission hereby expressly grants to the Inhabitants of the Town of West Boylston, the right of ingress and egress over said premises for access to the excluded parcel as above described.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Oak Woods Realty, Inc.	$ 950,000.00

The Commission further VOTED: to approve an award of damages in the amount of $950,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

Adjourned at 10:25 a.m., to meet on Thursday, August 31, 1995, at 9:00 a.m.

William F. Chisholm
Secretary

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Record of the Three Thousand Seven Hundred and Forty Second (3742nd) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, August 31, 1995 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Settles and Wu.

The Records of the Commission Meeting held on August 17, 1995 were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and four Associate Commissioners:

1. Amendment, dated August 31, 1995, to Contract-Agreement No. WM93-060-D2A, with GZA GeoEnvironmental, Inc., for Final Design for Construction of Essential Remedial Repairs and Emergency Action Plan, Sudbury Dam.

2. Amendment, dated August 31, 1995, to Contract-Agreement No. WM95-080-X1A, with Clean Harbors, Inc., for Wachusett Watershed Pilot Household Hazardous Waste Collection.

3. Contract No. P95-1813-M1A, dated August 31, 1995, with P. H. Mechanical Corp., for Servicing of Heating, Ventilation and Air Conditioning Systems at Various MDC Facilities within the Metropolitan Parks System.

4. Contract No. P95-1758-C1A, dated August 31, 1995, with Coviello Electric and General Contracting Co., Inc., for Construction of Traffic Signals on Ocean Avenue, at the Intersection of Beach Street, Revere.

5. Contract No. P82-1054-C1A, dated August 31, 1995, with The Middlesex Corporation/Middlesex Paving/Middlesex Bituminous Products/Middlesex, Inc., and Middlesex Materials Corporation, for Repairs to Charles Circle Bridges #57A and #57B, Boston.

Hearing:

6. Report of Mr. Guidoboni, August 28, on petition of Boston Gas Company, for a Grant of Location in Norwood Street, Dorchester, a distance of 420 feet, from the intersection with Tolman Street for the relocation and operation of 20-inch steel gas main and related facilities for the distribution of gas, subject to terms and conditions and any other provisions the Commission may prescribe.
ORDERED that, on petition of Boston Gas Company, dated May 30, 1995, for location, shown on Plan of Boston Gas Company dated January 17, 1995, entitled "Proposed Location of 20" Gas Main in Norwood Street, Dorchester", to place in the City of Boston namely, Norwood Street, a distance of approximately 420' feet, from the intersection with Tolman Street, for the installation and operation of 20-inch steel gas main and related facilities, to be used for the distribution of gas, said location having been found by order of the Department of Public Utilities

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to be required by public convenience and necessity, said plan and petition being on file in the office of the Commission, a public hearing on said petition having been given by this Commission on Thursday, August 31, 1995 at 9:00 A.M., in the Marilyn Morrison Commission Meeting Room of the Commission in Boston, of which hearing due notice was given to all persons interested of the time and place by publishing a copy of said petition and the order of notice issued thereon by this Commission in newspapers published in which the location petitioned for would lie, the first publication having been made at least fourteen days prior to the date of said hearing, and it appearing, in the opinion, of this Commission, that public convenience and necessity so require, said Boston Gas Company is hereby granted a location for approximately 420' feet, from the intersection with Tolman Street, for the installation and operation of 20-inch steel gas main and related facilities, to be used for the distribution of gas, in the City of Boston namely, Norwood Street, to the extent and upon the terms, conditions, and obligations hereinafter specified, the same being such as the public necessity and a due regard for the rights of the Commonwealth require, namely:-

1. Boston Gas Company shall conform to all provisions of law applicable to the exercise of their rights and performance of the work under this grant and to the rules and regulations of the Metropolitan District Commission.
2. Boston Gas Company shall do the work of installing said 20-inch steel gas main and related facilities therein, the location hereby granted subject to the approval of the Director of Permits for the Commission, as to time, manner, and location, and in all other respects.
3. Boston Gas Company shall indemnify and save harmless the Commonwealth of Massachusetts and the Metropolitan District Commission from any damage it or they may sustain or be required to pay arising out of the exercise by said Company or any of its employees in connection with the work done hereunder.
4. Boston Gas Company shall protect and maintain all trees, drainage, or water pipes, and all appurtenances or structures either above or below the surface of the ground over which this location lies, during and upon completion of the work shall restore the surface of the ground to a condition satisfactory to said Director of Permits and Acting Director of the Engineering and Construction Division.
5. Boston Gas Company shall take all possible measures during construction to reduce the impact on the area.
6. Boston Gas Company shall place and maintain proper barriers at all times and from the beginning of twilight through the whole of every night sufficient lights to protect the public from injury or damage during the progress of the work under this grant or during repairs upon said conduit with necessary wires, cables and related apparatus therein, may hereafter become necessary.
7. Boston Gas Company, as mitigation, will follow specifications for cold planing and road resurfacing requested by the MDC Engineering and Construction Division and approved by the MDC Office of Planning.

8. No work shall be done under this grant without first obtaining a permit therefore from said Director of Permits, and subject to conditions imposed by him.

Action was taken upon the following matters relating to the Watershed Management Division:

1. Report of Mr. Pula, August 17, recommending approval of the request of Edward F. Warren, executor of the estate of Harold and Ruby (Sanderson) Warren, that graves 4 and 5 in Lot No. 1887, Q-1596 and two remaining graves in Lot No. 2118, Q-124 be transferred to Benjamin and Mary Sanderson.
(Harold and Ruby Sanderson purchased the graves from the Commission on July 11, 1973).
The Commission V O T E D: Approved as recommended by Mr. Pula in his report of August 17, 1995.

2. Report of Mr. McGinn and Ms. Carr, August 16, recommending the following on Contract No. WM95-082-S1A, with Nashua River Watershed Association, for Wachusett Task Force Technical Assistance Contract -
(a) A Revision in Scope - By eliminating the Resource Directory and Newsletter. By adding a Technical Assistance Hotline and Arranging three Training Seminars. Also by Arranging two Special Presentations to the Wachusett Task Force.
(b) An Extension of Time from December 31, 1995 to June 30,
The Commission V O T E D: Approved as recommended by Mr. McGinn and Ms. Carr in their report of August 16, 1995.

3. Report of Mr. McGinn and Ms. Austin, August 25, requesting approval of Contract No. WM96-016-X1A, with Morrell Associates, for Laboratory Services for Giardia and Cryptosporidium Analysis.
Cost not-to-exceed - $15,000.00.
Time for Performance - from Notice to proceed to June 30, 1996.
Account No. 2420-1400.
The Commission V O T E D: Approved.

4. Report of Mr. McGinn, August 28, recommending approval of the request of the Massachusetts Water Resources Authority, that the Commission approve and execute an Agreement with New England Power Company for Lease and Use of Commission's 69KV Lines and 115 KV Transmission Line in West Boylston, Clinton and Southborough, for a period of (25) twenty-five years and further - that the Commission approve a "Power Purchase Agreement for the Cosgrove Generating Station", with New England Power Company, for a period of (20) twenty years, but may be terminated by either party with one year's notice after (10) ten years.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Agreement, dated August 31, 195, with New England Power Company for Lease and Use of Commission's 69KV Lines and 115 KV Transmission Line in West Boylston, Clinton and Southborough, which was signed by the Commissioner and four Associate Commissioners.
The Commission further V O T E D: to approve a "Power Purchase

Agreement for the Cosgrove Generating Station", with New England Power Company, for a period of (20) twenty years, but may be terminated by either party with one year's notice after (10) ten years, as recommended by Mr. McGinn in his report of August 28, 1995.

Action was taken upon the following matter relating to the Office of Planning:

1. Report of Mrs. O'Brien, August 11, submitting request from the Charles River Watershed Association (CRWA), to construct and utilize a Laboratory in a vacant basement storage area at 2391 Commonwealth Avenue, Newton. CRWA occupies the building under Lease from the Division of Capital Planning and Operations (DCPO).

Mr. Robert Zimmerman of the Charles River Watershed Association, appeared before the Commission and spoke of the proposed use of the vacant basement storage area. He stated that CRWA plans to utilize the area for a laboratory to monitor the Charles River and its tributaries.

Mr. Gray explained that the Division of Capital Planning and Operations (DCPO) is the Lessor under this specific lease which was authorized by special legislation. Therefore, since the MDC surplused the property to DCPO, procedurally, the Commission could request by its vote, that DCPO amend the existing lease, accordingly.

The Commission then VOTED: to approve the request of the Charles River Watershed Association (CRWA), to construct and utilize a Laboratory in a portion of a vacant basement storage area at 2391 Commonwealth Avenue, Newton, subject to the approval of the DCPO of an Amendment to the existing lease.

Associate Commission Carr abstained from voting on this matter.

Action was taken upon the following matters relating to the Office of Real Property:

2. Report of Mr. Gray, August 25, recommending that the Commission declare surplus and transfer in accordance with the provision of Chapter 193 of the Acts of 1993, and subject to the terms and conditions set forth by the Commission and by said Act, a permanent easement for public water supply purposes on, over and through a certain parcel of land containing approximately 13,647 square feet, or 0.313 acres, located on the northerly sideline of Route 128 in the Town of Dedham and referenced within section 1 of said Act, to the Dedham-Westwood Water District, for all purposes consistent with said Act.

And to further vote that no document conveying such easement interest shall be valid, unless it expressly provides that the Dedham-Westwood Water District, its successors and assigns, shall -

(a) comply with all conditions set forth from time to time by the Dedham Conservation Commission and the Metropolitan District Commission, including wetland replication and all required remediation;
(b) install a Shurcliff-type gate at a location approved by the Division of Reservations and Historic Sites, which gate shall be maintained by said Division; and

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(c) install a fire hydrant accessible for fire-fighting purposes to be located within the easement area, which hydrant shall be maintained by the Dedham-Westwood Water District.

And to further vote that no document conveying such easement interest shall be valid, unless it expressly provides that so long as the easement interest as above described is transferred to the Dedham-Westwood Water District and remains in full force and effect, those parcels referred to in section 2 of said Act and under the care and control of the Commission, shown as "Area 1" and "Area 3" on the plan entitled "Conservation Restriction Plan Dedham, Mass.", prepared by Harry R. Feldman, Inc., dated January 9, 1991, and revised March 6, 1991, shall be limited and otherwise restricted by said Commission to only those uses which are deemed compatible and consistent with all applicable regulations and guidelines for the protection of a public water supply well, as promulgated and amended by the appropriate federal, state and local agencies, expressly including but not limited to 310 CMR 22.21 (1) (b) 5.

The Commission VOTED: to declare surplus and transfer in accordance with the provision of Chapter 193 of the Acts of 1993, and subject to the terms and conditions set forth by the Commission and by said Act, a permanent easement for public water supply purposes on, over and through a certain parcel of land containing approximately 13,647 square feet, or 0.313 acres, located on the northerly sideline of Route 128 in the Town of Dedham and referenced within section 1 of said Act, to the Dedham-Westwood Water District, for all purposes consistent with said Act.

The Commission further VOTED: that no document conveying such easement interest shall be valid, unless it expressly provides that the Dedham-Westwood Water District, its successors and assigns, shall -

(a) comply with all conditions set forth from time to time by the Dedham Conservation Commission and the Metropolitan District Commission, including wetland replication and all required remediation;
(b) install a Shurcliff-type gate at a location approved by the Division of Reservations and Historic Sites, which gate shall be maintained by said Division; and
(c) install a fire hydrant accessible for fire-fighting purposes to be located within the easement area, which hydrant shall be maintained by the Dedham-Westwood Water District.

The Commission further VOTED: that no document conveying such easement interest shall be valid, unless it expressly provides that so long as the easement interest as above described is transferred to the Dedham-Westwood Water District and remains in full force and effect, those parcels referred to in section 2 of said Act and under the care and control of the Commission, shown as "Area 1" and "Area 3" on the plan entitled "Conservation Restriction Plan Dedham, Mass.", prepared by Harry R. Feldman, Inc., dated January 9, 1991, and revised March 6, 1991, shall be limited and otherwise restricted by said Commission to only those uses which are deemed compatible and consistent with all

applicable regulations and guidelines for the protection of a public water supply well, as promulgated and amended by the appropriate federal, state and local agencies, expressly including but not limited to 310 CMR 22.21 (1) (b) 5.

1. Report of Mr. Gray, August 28, submitting for approval, Work Schedule and Project Summary and Justification, for Open Order Contract No. RP96-0004, for Appraisals for Park Land Acquisition FY/96 - Middlesex, Suffolk, Norfolk, Essex and Plymouth Counties.
Cost - $140,000.00.
Account No. 2441-9886, under Section 32 of Chapter 564 of the Acts of 1987 - (Open Space Bond).
The Commission VOTED: Approved.

2. Report of Mr. Gray, August 28, submitting for approval, Work Schedule and Project Summary and Justification, for Open Order Contract No. RP96-0005, for Title Examinations for Park Land Acquisition FY/96 - Middlesex, Suffolk, Norfolk, Essex and Plymouth Counties.
Cost - $20,000.00.
Account No. 2441-9886, under Section 32 of Chapter 564 of the Acts of 1987 - (Open Space Bond).
The Commission VOTED: Approved.

3. Report of Mr. Gray, August 28, submitting for approval, Work Schedule and Project Summary and Justification, for Open Order Contract No. RP96-0006, for Surveys for Park Land Acquisition FY/96 - Middlesex, Suffolk, Norfolk, Essex and Plymouth Counties.
Cost - $15,000.00.
Account No. 2441-9886, under Section 32 of Chapter 564 of the Acts of 1987 - (Open Space Bond).
The Commission VOTED: Approved.

Action was taken upon the following matters relating to the Recreational Facilities and Programs Division:

4. Report of Mr. Doak, August 28, requesting approval and execution of a Service Contract with Larchmont Engineering and Irrigation, Inc., for replacement and installation of a new motor controller on electrical pump, located at Ponkapoag Golf Course, Canton.
Cost - $2,221.40.
Work to be completed by September 30, 1995.
Account No. 2440-4000.
The Commission VOTED: Approved.
The Secretary then submitted for signature Service Contract, dated August 31, 1995, with Larchmont Engineering and Irrigation, Inc., which was signed by the Commissioner and four Associate Commissioners.
Associate Commissioner Elkort abstained from voting on this matter.

5. Report of Mr. Doak, August 29, recommending that the Commission amend its vote of April 6, 1995, which established the rates for the 1995 season at Ponkapoag and Martin Golf Courses, by changing the fee structure for the remainder of the 1995 season.

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The Commission V O T E D: to amend its vote of April 6, 1995, which established the rates for the 1995 season at Ponkapoag and Martin Golf Courses, by changing the fee structure for the remainder of the 1995 season as follows -

CATEGORY	CURRENT FEE	PROPOSED FEE	NEW FEE
Season Ticket-Reg-7days/wk	$325.00	$650.00	$650.00
Season Ticket-Reg M-F	$250.00	$480.00	$500.00
Season Ticket-Sr Citizen M-F	$130.00	$400.00	$260.00
Season Ticket-Jrs* (16 & under) M-F; (Sat.,Sun.,Hol. after 3:00 p.m.)	$130.00	$400.00	$150.00
Seasonal Ticket (June-Sept) Junior (16 & Under) M-F (To be deleted)	$100.00	$100.00	N/A
Green Fee-Weekday-Regular-18 Holes	$ 12.00	$ 17.00	$ 17.00
Green Fee-Weekday-Regular- 9 Holes	N/A	$ 10.00	$ 12.00
Green Fee-Weekday-SrCitizen-18 Holes	$ 5.00	$ 12.00	$ 12.00
Green Fee-Weekday-SrCitizen- 9 Holes	$ N/A	$ 10.00	$ 10.00
Green Fee-Weekday-Junior*-18 Holes	$ 5.00	$ 12.00	$ 12.00
Green Fee-Weekday-Junior*- 9 Holes	$ N/A	$ 10.00	$ 10.00
Green Fee-Sat.,Sun.,Holidays/ Regular, Juniors, Srs-18 Holes	$ 14.00	$ 20.00	$ 20.00
Green Fee-Sat.,Sun.,Holidays/ Regular, Juniors, Seniors-9 Holes	$ 5.00	$ 12.00	$ 12.00
League Registration	$ 75.00	$100.00	$100.00
Tournament Registration	$ 75.00	$100.00	$100.00

* 16 years and under

Note: Season Ticket limited to Massachusetts residents only.

Associate Commissioner Elkort abstained from voting on this matter.

Action was taken upon the following Various Matters:

1. Report of Ms. Overton, August 28, requesting approval and authorization for Commissioner Balfour to execute on behalf of the Commission, Contract No. P96-1824-S1A, with Fugro East, Inc., for Development of a Resource Management Plan for the Lands Owned and Managed by the MDC within the area of Critical Environmental Concern (Fowl Meadow and Ponkapoag Bog).
Contract Cost - Not-to-exceed - $45,000.00
Time for Performance - one year from Contract execution.
Account No. 2410-7872.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute on behalf of the Commission, Contract No. P96-1824-S1A, with Fugro East, Inc.

2. Report of Mr. Jewett, August 30, recommending approval of Open Order Contract Nos. RP96-0004 and RP96-0005, for Appraisal and Title Examination Services as follows -

Contract No. RP96-0004 - Appraisal Services

NAME	PARCELS	AMOUNT
Reynolds Company 420 Washington Street, Suite 404 Braintree, Massachusetts 02184	1	$19,500.00

Contract No. RP96-0004 - Appraisal Services (Con.-)

NAME	PARCELS	AMOUNT
Leo M. Flynn 275 Cabot Street Beverly, Massachusetts 01915	1	$19,000.00
Daylor Consulting Group, Inc. 313 Congress Street Boston, Massachusetts 02210	1	$19,060.00
Lord Associates 91 Providence Highway Westwood, Massachusetts 02090	1	$ 2,000.00

Contract No. RP96-0005 - Title Examination Services

NAME	PARCELS	AMOUNT
George S. Norton, Esq. 140 Windemere Road Auburndale, Massachusetts 02166	1	$ 2,100.00

Account No. 2441-9886.
The Commission V O T E D: Approved as recommended by Mr. Jewett in his report of August 30, 1995.

Action was taken upon the following matter relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher and Mayhew, August 29, submitting for approval Project Summary, Project Justification, Work Schedule and requesting authorization to advertise Project No. P96-1820-C1A, for Installation of New Membrane Roofing at the Francis L. Murphy Ice Skating Rink, South Boston.
Estimated Cost - $70,000.00.
Time for Performance - one month.
Account No. 2440-0010.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P96-1820-C1A, for Installation of New Membrane Roofing at the Francis L. Murphy Ice Skating Rink, South Boston.

Adjourned at 10:15 a.m., to meet on Thursday, September 14, 1995, at 9:00 a.m.

William F. Chisholm
Secretary

Record of the Three Thousand Seven Hundred and Forty Third (3743rd) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, September 14, 1995 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Settles and Wu.

The Records of the Commission Meeting held on August 24, 1995 were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and four Associate Commissioners:

1. First Amendment to Contract/Agreement No. WM95-082-S1A, September 14, 1995, with Nashua River Watershed Association, for Wachusett Task Force Technical Assistance Contract.

2. Contract No. P92-1646-C2B, September 14, 1995, with W. H. Hughes, Inc., for Installation of Submarine Cables, John J. Beades Drawbridge, Dorchester.

Action was taken upon the following matters relating to the Engineering and Construction Division:

3. Report of Messrs. Faucher and Machado September 7, recommending approval of the request of the Contractor, for an extension of time from September 30, 1995 to June 30, 1996, on Contract No. P95-1802-C1A, with D & R General Contracting, Inc., for Walkway Improvements along the M.D.C. Harbor Beaches from Winthrop to Quincy, due to a decision of the Beach Committee to install an additional 80 benches.
(The work will result in an increase in Contract cost).
The Commission VOTED: to approve an extension of time from September 30, 1995 to June 30, 1996, on Contract No. P95-1802-C1A, as recommended by Messrs. Faucher and Machado in their report of September 7, 1995, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

4. Report of Messrs. Faucher and Mayhew, September 5, recommending approval of the request of the Contractor for an extension of time from September 2, 1995 to September 27, 1995, on Contract No. P95-1805-C1B, with G.V.W., Inc., for Installation of New Dasherboards at the William F. Devine Rink, Dorchester, due to delays in receiving hockey boards.
(At no additional cost to the Commission).
The Commission VOTED: to approve an extension of time from September 2, 1995 to September 27, 1995, on Contract No. P95-1805-C1B, as recommended by Messrs. Faucher and Mayhew in their report of September 5, 1995, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

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1. Report of Miss Overton and Messrs. Faucher and Orfant, September 8, submitting for approval Work Schedule, Project Summary, Project Justification and requesting permission to seek proposals for Consultant Contract No. P96-1826-D1A, for Boston Harbor Beaches Early Resanding Program.
Estimated Cost - $50,000.00.
Time for Performance - Four months.
Account No. 2440-8956.
The Commission V O T E D: Approved.
The Commission further V O T E D: permission to seek proposals for Consultant Contract No. P96-1826-D1A, for Boston Harbor Beaches Early Resanding Program.

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Action was taken upon the following matter relating to the Watershed Management Division:

2. Report of Mr. McGinn and Ms. Austin, September 1, recommending that work be accepted as completed as of June 30, 1995, on Contract No. WM94-050-S1A, with Morrell Associates, Inc., for Laboratory Services-Testing for Giardia and Cryptosporiduim at Quabbin and Wachusett Reservoir.
(Basis of Award - $11,000.00)
(Amount to Date - $10,675.00)
(Contract Administration Rating - 10.00 - with 10.00 being excellent)
(EEO Compliance - N/A)
The Commission V O T E D: that the work of Morrell Associates, Inc., Consultant under Contract No. WM94-050-S1A, be and hereby is accepted as completed as of June 30, 1995.

Action was taken upon the following matters relating to the Office of Real Property:

3. Report of Mr. Gray, September 8, submitting for approval, Work Schedule and Project Summary and Justification, for Open Order Contract No. RP96-0001, for Appraisals for Watershed Land Acquisition FY/96 - Worcester, Franklin and Hampshire Counties.
Cost - $650,000.00.
Account No. 2421-9936, under Sections 6 and 12 of Chapter 36 of the Acts of 1992 - (Cohen Bill).
The Commission V O T E D: Approved.

4. Report of Mr. Gray, September 8, submitting for approval, Work Schedule and Project Summary and Justification, for Open Order Contract No. RP96-0002, for Title Examinations for Watershed Land Acquisition FY/96 - Worcester, Franklin and Hampshire Counties.
Cost - $90,000.00.
Account No. 2421-9936, under Sections 6 and 12 of Chapter 36 of the Acts of 1992 - (Cohen Bill).
The Commission V O T E D: Approved.

5. Report of Mr. Gray, September 8, submitting for approval, Work Schedule and Project Summary and Justification, for Open Order Contract No. RP96-0003, for Surveys for Watershed Land Acquisition FY/96 - Worcester, Franklin and Hampshire Counties.

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Cost - $200,000.00.
Account No. 2421-9936, under Sections 6 and 12 of Chapter 36 of the Acts of 1992 - (Cohen Bill).
The Commission V O T E D: Approved.

The following matters were placed on the agenda for the information of the Commission:

1. The following schedules were approved for payment by the Commissioner during the period from June 1, 1995 to June 30, 1995.

Expenditures	$13,295,768.02

2. The following schedules were approved for payment by the Commissioner during the period from July 1, 1995 to July 31, 1995.

Expenditures	$6,204,335.40

Adjourned at 9:35 a.m., to meet on Thursday, September 21, 1995, at 9:00 a.m.

William F. [illegible]
Secretary

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The Commission further VOTED: to accept the highest qualified bid, that of New England Forest Products, of $3,574.25; to purchase approximately 57,485 board feet of timber, 56 cords of firewood and 108 tons of whole tree wood on Timber Lot No. 249 - Ware River Watershed.

The Commission further VOTED: to accept the highest qualified bid, that of New England Forest Products, of $2,005.60; to purchase approximately 5,295 board feet of timber and 113 cords of firewood on Timber Lot No. 250 - Ware River Watershed.

The Commission further VOTED: to accept the highest qualified bid, that of Conkey Logging & Lumber, of $12,657.45; to purchase approximately 143,585 board feet of timber, 113 cords of firewood and 31 cords of pulp on Timber Lot No. 664A - Quabbin Reservoir Watershed.

The Commission further VOTED: to accept the highest qualified bid, that of Conkey Logging & Lumber of $12,590.05; to purchase approximately 120,140 board feet of timber, 74 cords of firewood, 25 cords in tops and 33 tons of pulp on Timber Lot No. 717 - Quabbin Reservoir Watershed.

The Commission further VOTED: to accept the highest qualified bid, that of Heyes Forest Products, of $31,872.56; to purchase approximately 224,670 board feet of timber, 130 cords of firewood and 36 cords in tops on Timber Lot No. 718 - Quabbin Reservoir Watershed.

The Commission further VOTED: to accept the highest qualified bid, that of Cooleyville Farm, of $394.25; to purchase approximately 27 cords of firewood on Timber Lot No. 719 - Quabbin Reservoir Watershed.

The Commission further VOTED: to accept the highest qualified bid, that of Wetherby Farm, of $655.02; to purchase approximately 54 cords of firewood on Timber Lot No. 720 - Quabbin Reservoir Watershed.

The Commission further VOTED: to accept the highest qualified bid, that of King-Chaffee Logging, of $14,750.00; to purchase approximately 123,069 board feet of timber, 28 cords of firewood and 140 tons of pulp on Timber Lot No. 721 - Quabbin Reservoir Watershed.

The Commission further VOTED: to accept the highest qualified bid, that of King-Chaffee Logging, of $19,180.00; to purchase approximately 148,380 board feet of timber, 138 cords of firewood and 169 tons of pulp on Timber Lot No. 722 - Quabbin Reservoir Watershed.

The Commission further VOTED: to accept the highest qualified bid, that of Conkey Logging & Lumber, of $15,628.20; to purchase approximately 170,360 board feet of timber, 142 cords of firewood, 50 cords in tops and 50 tons of pulp on Timber Lot No. 723 - Quabbin Reservoir Watershed.

The following matter was placed on the agenda for the information of the Commission:

The following schedules were approved for payment by the Commissioner during the period from August 1, 1995 to August 31, 1995.

Expenditures	$5,920,166.58

Adjourned at 9:30 a.m., to meet on Thursday, October 5, 1995, at 9:00 a.m.

William J. Burke
Secretary

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. 5,1995

Record of the Three Thousand Seven Hundred and Forty Sixth (3746th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, October 5, 1995 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Elkort, Settles and Wu.

The Records of the Commission Meeting held on September 21, 1995 were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and three Associate Commissioners:

1. Emergency Contract No. P96-1825-C1A, dated October 5, 1995, with D. Clancy & Sons, for Emergency Structural Repairs to Steriti Skating Rink, North End, Boston.

2. Contract No. P95-1799-M1A, dated October 5, 1995, with Balfour Engineering, for Service to Hydraulic Power Systems at Various Flood Control/Navigation Sites.

Action was taken upon the following matter relating to the Watershed Management Division:

3. Report of Miss Overton and Mr. McGinn, September 28, requesting approval to extend the shoreline fishing season at the Wachusett Reservoir from October 31, 1995 to November 30, 1995.
The Commission VOTED: Approved.

Action was taken upon the following matter relating to the Reservations and Historic Sites Division:

4. Report of Mr. Broderick, September 29, requesting authorization for Mr. Broderick, to negotiate on behalf of the Commission, the purchase of cottages located on Peddock's Island, as per legislative authorization.
The Commission VOTED: to authorize Mr. Broderick, Director of Reservations and Historic Sites, to negotiate on behalf of the Commission, the purchase of cottages located on Peddock's Island, as per legislative authorization.

Action was taken upon the following matter relating to the Office of Real Property:

5. Report of Mr. Gray, October 2, recommending that the Commission approve and authorize Commissioner Balfour to execute, on behalf of the Commission, a Contract with Peter S. Emerson and Associates, for appraisal Services, for a portion of the Elm Bank Reservation, in the Towns of Dover and Wellesley, pursuant to Chapter 105 of the Acts of 1995, which granted a Leasehold Interest to Massachusetts Horticultural Society in and to a portion of the Reservation.
(At no cost to the Commission).
The Commission VOTED: to approve and authorize Commissioner Balfour to execute, on behalf of the Commission, a Contract with

Peter S. Emerson and Associates, for appraisal Services, for a portion of the Elm Bank Reservation, in the Towns of Dover and Wellesley, pursuant to Chapter 105 of the Acts of 1995, which granted a Leasehold Interest to Massachusetts Horticultural Society in and to a portion of the Reservation, as recommended by Mr. Gray in his report of October 2, 1995.

Action was taken upon the following Various Matters:

1. Report of Mr. Jewett, October 2, requesting that the Commission amend the vote of August 31, 1995, approving the award of Open Order Contract (RP96-0004), for Appraisal and Title Examination Services, to Lord Associates, by increasing the cost of the work from $2,000.00 to $9,020.00 and extending the time of performance up to and including October 27, 1995, due to the need for additional environmental testing.
Account No. 2441-9886.
The Commission VOTED: to amend its vote of August 31, 1995, approving the award of Open Order Contract (RP96-0004), for Appraisal and Title Examination Services, to Lord Associates, by increasing the cost of the work from $2,000.00 to $9,020.00 and extending the time of performance up to and including October 27, 1995, due to the need for additional environmental testing, as requested by Mr. Jewett in his report of October 2, 1995.

2. Report of Mr. Jewett, September 29, on behalf of the Consultant Selection Committee, requesting approval of Contract No. WM95-011-D1A, with Woodward-Clyde Consultants, for Restoration of the Downstream Areas, Goodnough Dike, Ware and further requesting that the Commission amend its vote of February 2, 1995 by increasing the estimated cost of the project from $40,000.00 to $72,000.00, subject to negotiations.
Time for Performance - five months.
Account No. 2420-1400.
The Commission VOTED: to approve Contract No. WM95-011-D1A, with Woodward-Clyde Consultants, for Restoration of the Downstream Areas, Goodnough Dike, Ware.
The Commission further VOTED: to amend its vote of February 2, 1995 by increasing the estimated of cost this project from $40,000.00 to $72,000.00, subject to negotiations, as requested by Mr. Jewett in his report of September 29, 1995.

3. Report of Mr. Jewett, September 29, on behalf of the Consultant Selection Committee, requesting approval of Contract No. WM95-085-S1A, with GZA GeoEnvironmental, Inc, for Geotechnical Evaluation of Cunningham Ledge, Wachusett Reservoir, Clinton.
Time for Performance - six to eight months.
Estimated Cost - $25,000.00 - subject to negotiations.
Account No. 2420-1400.
The Commission VOTED: Approved.

4. Report of Mr. Jewett, September 29, on behalf of the Consultant Selection Committee, requesting approval of Contract No. WM95-088-S1A, with Pickett and Miyares, Attorneys at Law, for Revision of the Rules and Regulations Governing the Subdivision

of Land, West Boylston.
Time for Performance - twelve months.
Estimated Cost - $40,000.00 - subject to negotiations.
Account No. 2420-1400.
The Commission V O T E D: Approved.

1. Report of Mr. Jewett, October 4, on behalf of the Consultant Selection Committee, requesting approval of Contract No. P95-1804-S1A, with Sasaki Associates, Inc., for Dorchester Shores Beach Restoration Program.
Time for Performance - twenty four months.
Estimated Cost - $350,000.00, subject to negotiations.
Account No. 2440-8956.
The Commission V O T E D: Approved.

2. Report of Mr. Jewett, October 4, on behalf of the Consultant Selection Committee, requesting approval of Contract No. P96-1826-D1A, with Bourne Consulting Engineering, for Boston Harbor Beaches Early Resanding Program.
Time for Performance - Design services estimated at four months.
Estimated Cost - $50,000.00, subject to negotiations.
Account No. 2440-8956.
The Commission V O T E D: Approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

3. Report of Messrs. Faucher, Abounaja and Brooks, September 19, recommending approval of the following on Contract No. P95-1792-C1B, with Environmental Restorations, Inc., for Lead Paint Removal at Various MDC Locations -
Revisions in Quantities

Item No. 001-001 Remove and Transport Lead Paint from Interior and Exterior Wall	**$121,800.00**
Item No. 001-002 Remove and Transport Lead Paint from Ceiling	**$ 5,000.00**
Total -	**$126,800.00**

Alteration No. 1

Item No. 001-011 Transport and Properly Dispose of 55 Gallon Drums - Hazardous Lead Paint Waste	**$ 45,000.00**
Item No. 001-012 Cut Hazardous Structures to fit in 55 Gallon Drums	**$ 2,500.00**
Total -	**$ 47,500.00**

(At no increase in Contract cost as the revisions and Alteration will be offset by unused quantities in Item Nos. 003-002 - Crew Shift, 004-001 - Rental of 40 c.y. Dumpster for Wood Contaminated with Lead, 004-002 - Rental of 40 c.y. Dumpster for Metal Contaminated with Lead, 004-003 - Transport of 40 c.y. Dumpster and 004-004 - Disposal Cost of 40 c.y. Dumpster).

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The Commission VOTED: to approve the Revisions in Quantities in the amount of $126,800.00.
The Commission further VOTED: to approve Alteration No. 1, in the amount of $47,500.00, as recommended by Messrs. Faucher, Abounaja and Brooks in their report of September 19, 1995.

1. Report of Messrs. Faucher and Martinez, September 28, recommending approval of the request of ACE Construction Enterprises, Inc., Contractor on Contract No. P95-1809-C1A, for Water Service Line Replacement at the Bajko Rink, Hyde Park, for an extension of time from September 21, 1995 to October 10, 1995, due to delays in receiving specified water pipe.
(At no increase in Contract cost).
The Commission VOTED: to approve an extension of time from September 21, 1995 to October 10, 1995, as recommended by Messrs. Faucher and Martinez in their report of September 28, 1995, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

Adjourned at 10:00 a.m., to meet on Thursday, October 12, 1995, at 9:00 a.m.

William J.
Secretary

.59,p.111
7th
.12,1995

Record of the Three Thousand Seven Hundred and Forty Seventh (3747th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, October 12, 1995 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Settles and Wu.

The Records of the Commission Meeting held on September 28, 1995 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher and Machado, September 29, on request of T. L. Edwards, Inc./T. L. Edwards Corporation, Contractor on Contract No. P95-1801-C1A, for Resurfacing of MDC Parkways at Various Locations throughout the Metropolitan District, for approval of Good News Construction Corporation, Markings Inc. and Bell Traffic Signal Maintenance Co., Inc., as sub-contractors for the following -

Good News Construction Corporation

Item No. 004-010 Catch Basins and Manholes Adjusted to Grade	$ 18,000.00
Item No. 005-010 Catch Basins and Manholes Rebuilt	$ 12,600.00
Item No. 006-010 Utility Boxes Adjusted to Grade	$ 4,500.00
Item No. 010-010 Granite Edgestone VA4"x 18" Remove and Reset	$ 3,000.00
Item No. 011-010 Granite Edgestone VA4"x 18" Straight	$ 42,900.00
Item No. 012-010 Granite Edgestone VA4"x 18" Curved	$ 4,300.00
Item No. 013-010 Granite Corner Blocks - 2' Radius	$ 800.00
Item No. 015-010 Cement Concrete In of Edgestone	$ 9,000.00
Item No. 023-010 Furnishing and Installation New Catch Basins or Drop Inlets	$ 1,600.00
Item No. 024-010 Rebuilding of Deteriorated Catch Basins or Drop Inlets Excluding Cost of Castings	$ 2,600.00
Item No. 025-010 Furnishing and Installing New Manholes Excluding Cost of Castings	$ 1,600.00
Item No. 026-010 Rebuilding of Deteriorated Manholes Excluding Cost of Castings	$ 2,000.00
Item No. 039-010 Removal and Disposal of Cement Concrete Curb	$ 100.00
Item No. 045-010 Masonry Excavation	$ 74.00
Item No. 046-010 Cement Concrete Masonry	$ 2,500.00
sub-total	$105,574.00

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Bell Traffic Signal Maintenance Co., Inc.

Item No. 020-010 Traffic Signal Detector Loop	$ 23,000.00
sub-total	$ 23,000.00

Markings, Inc.

Item No. 016-010 4" Reflectorized Pavement Markings (Thermoplastic)	$ 60,610.00
Item No. 017-010 8" Reflectorized Markings (Thermoplastic)	$ 2,380.00
Item No. 018-010 12" Reflectorized Pavement Markings (Thermoplastic)	$ 10,800.00
Item No. 019-010 Reflectorized Pavement Symbols and Legends (Thermoplastic)	$ 2,137.50
Item No. 022-010 Temporary Pavement Markings, 4" Painted	$ 1,260.00
Item No. 042-010 Pavement Markings Removal (paint)	$ 750.00
Item No. 043-010 Pavement Markings Removal (Thermoplastic)	$ 1,250.00
sub-total	$ 79,197.50
Grand Total	$207,771.50

(At no increase in Contract cost).
The Commission V O T E D: Approved as recommended by Messrs. Faucher and Machado in their report of September 29, 1995.

1. Report of Mr. Faucher and Ms. Pomorska, September 21, on request of Coviello Electric & General Contracting Co., Inc., Contractor on Contract No. P95-1758-C1A, for Construction of Traffic Signals on Ocean Avenue, at the Intersection of Beach Street, Revere, for approval of Liddell Brothers, Inc. and LDC Construction, Inc., as sub-contractors for the following items -

Liddell Brothers, Inc.

Item No. 014-010 Steel Sign Post	$ 200.00
Item No. 015-010 Aluminum Traffic Sign	$ 1,250.00
Item No. 018-010 Pavement Markings Removed	$ 540.00
Item No. 019-010 12" Reflectorized Pavement Markings	$ 385.00
Item No. 020-010 4" Reflectorized Pavement Markings	$ 475.00
Item No. 021-010 Reflectorized Pavement Symbols	$ 259.00
sub-total	$ 3,109.00

LDC Construction, Inc.

Item No. 005-010 3" Galvanized Steel Conduit - Labor Only	$ 8,500.00

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Item No. 008-010 $ 1,200.00
Traffic Signal Mast Arm - Foundation Only
sub-total $ 9,700.00
Grand Total $12,809.00

(At no increase in Contract cost).
The Commission V O T E D: Approved as recommended by Mr. Faucher and Ms. Pomorska in their report of September 21, 1995.

1. Report of Messrs. Faucher, Brooks and Coppola, October 5, submitting for approval Project Summary, Project Justification, Work Schedule and requesting authorization to advertise Project No. P93-1693-C2A, for Repair to Sally Port Entrance Granite, Fort Independence, Castle Island, South Boston.
Estimated Cost - $10,000.00.
Time for Performance - one month.
Account No. 2440-8956.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P93-1693-C2A, for Repair to Sally Port Entrance Granite, Fort Independence, Castle Island, South Boston.

2. Report of Messrs. Faucher and Higgott, October 2, submitting for approval and execution Joint Funding Agreement with the United States Geological Survey, for Gaging Stations within Charles River and Mystic River Watersheds, Contract No. P88-1530-M4A, for the period October 1, 1995 to September 30, 1996 and payment for -
MDC Share - Fed FY95 - $ 7,251.00 - July 1, 1995 - Sept. 30, 1995
MDC Share - Fed FY96 - $20,625.00 - Oct. 1, 1995 - June 30, 1996
Total - $27,876.00
Funding -
FT96 - Account No. 2440-0010-TT
FY97-Contingent on appropriation.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Joint Funding Agreement, dated October 12, 1995, with the United States Geological Survey, which was signed by the Commissioner and four Associate Commissioners.

3. Report of Messrs. Faucher and Jackson, October 4, on bids for Reconstruction of Charlesbank Playground, Contract No. P96-1815-C1A.
(Messrs. Faucher and Jackson recommend rejection of the low bid, that of J. J. Phelan and Son Co. Inc., due to the failure to acknowledge receipt of Addendum No. 2 and award the Contract to the second lowest bidder, Ledgewood Construction, with a bid of $176,300.00).
In response to a question by Associate Commissioner Carr, Mr. Thurlow of the Landscape Section, stated that Addendum No. 2 was for the inclusion of two additional items in the Contract. These items, he noted, would have increased the Contractor's bid price.
The Commission V O T E D: to reject the low bid, that of J. J. Phelan and Son Co. Inc., due to the failure to acknowledge receipt of Addendum No. 2.
The Commission further V O T E D: to award Contract No. P96-1815-C1A, to the second lowest bidder, Ledgewood Construction, with a bid of $176,300.00.

1. Report of Mr. Jackson, October 4, requesting the Commission amend its vote of May 4, 1995 by increasing the scope of work and also the upset limit from $250,000.00 to $418,000.00, on Contract No. P95-1783-D1A, with Brown and Rowe, for Rehabilitation of Constitution Beach, East Boston.
Mr. Jackson further requests that the Commission execute the Contract.
Account No. 2440-8956.
The Commission VOTED: to amend its vote of May 4, 1995 by increasing the scope of work and also the upset limit from $250,000.00 to $418,000.00, on Contract No. P95-1783-D1A, with Brown and Rowe, for Rehabilitation of Constitution Beach, East Boston.
The Secretary then submitted for signature Contract No. P95-1783-D1A, dated October 12, 1995, with Brown and Rowe, which was signed by the Commissioner and four Associate Commissioners.

2. Report of Messrs. Faucher and Haider, October 10, on bids for Capital Improvements or Major Replacement of HVAC Systems Including - Hot Water and Make-Up at the MDC Facilities.
(Messrs. Faucher and Haider recommend acceptance of the lowest bid received, that of P. H. Mechanical Corp., of $487,000.00).
The Commission VOTED: to accept the lowest bid received, that of P. H. Mechanical Corp., of $487,000.00.

Action was taken upon the following matter relating to the Watershed Management Division:

3. Report of Mr. McGinn, September 19, submitting for approval and execution a request for transfer of Quabbin Park Cemetery Deed No. Q-1596, Lot 1887, Graves 4 and 5 and Q-124, Lot 2118, Graves 2 and 3 from Edward F. Warren, Executor of the Estate of Harold and Ruby (Sanderson) Warren to Benjamin and Mary Sanderson.
The Commission VOTED: Approved.
The Secretary then submitted for signature transfer of Quabbin Park Cemetery Deed No. Q-1596, Lot 1887, Graves 4 and 5 and Q-124, Lot 2118, Graves 2 and 3, dated October 12, 1995, from Edward F. Warren, Executor of the Estate of Harold and Ruby (Sanderson) Warren to Benjamin and Mary Sanderson, which was signed by the Commissioner and two Associate Commissioners.

Action was taken upon the following Various Matter:

4. Report of Mr. French, October 12, requesting approval and execution of a Permit with Head of the Charles Regatta Fund for the Annual Regatta, to be held in 1995, 1996, 1997, 1998 and 1999.
Following a lengthy discussion regarding the Permit-Agreement and on a motion of Associate Commissioner Wu, the Commission VOTED: to approve the item subject to the following -

1. That the Termination section, as outlined in Item 21, Page 9, of the Permit-Agreement be Amended to read as follows - "The MDC may terminate this Permit without any cause or reason by giving written notice of termination to Permittee on or before January 31 for any current Regatta year".

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2. That Permittee provide the Commission, for staff review, a historic background of the finances of the Head of the Charles Regatta Fund, along with future projections of finances.
3. That the Head of the Charles Regatta Fund provide further information concerning the Trustees for staff review.

The Secretary then submitted for signature Permit, dated October 12, 1995, with Head of the Charles Regatta Fund, for the Annual Regatta, to be held in 1995, 1996, 1997, 1998 and 1999, which was signed by the Commissioner and four Associate Commissioners.

Adjourned at 10:15 a.m., to meet on Thursday, October 19, 1995, at 9:00 a.m.

William F.
Secretary

.59,p.116
3th
.19,1995

Record of the Three Thousand Seven Hundred and Forty Eighth (3748th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, October 19, 1995 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Settles and Wu.

The Records of the Commission Meeting held on October 5, 1995 were read and approved.
Associate Commissioner Carr noting that he was not at the Commission Meeting of October 5, 1995, abstained from voting on this matter.

The Secretary submitted for signature the following papers which were signed by the Commissioner and four Associate Commissioners:

1. Contract No. P96-1817-C1A, dated October 19, 1995, with P. H. Mechanical Corp., for Capital Improvements or Major Replacement of HVAC Systems Including - Hot Water and Make-Up at MDC Facilities.

2. Contract No. P96-1861-C1A, dated October 19, 1995, with P. H. Mechanical Corp., for Installation of Heating and Dehumidification System, Connell Pool, Weymouth.

3. Contract No. P95-1800-M1A, dated October 19, 1995, with Rust Utility Service, Inc., for Service to Underwater Structures at Various Flood Control/Navigational Sites.

Action was taken upon the following matters relating to the Engineering and Construction Division:

4. Report of Messrs. Faucher, Brooks and Martinez, October 11, submitting for approval Project Summary, Project Justification, Work Schedule and requesting authorization to invite proposals on Project No. P96-1830-C1A, for New Sewer System at Simoni Rink, Cambridge, Phase I, Building to City Sewer Connection.
Estimated Cost - $10,000.00.
Time for Performance - three weeks.
Account No. 2440-8952.
The Commission VOTED: Approved.
The Commission further VOTED: authorization to invite proposals on Project No. P96-1830-C1A, for New Sewer System at Simoni Rink, Cambridge, Phase I, Building to City Sewer Connection.

5. Report of Messrs. Faucher and Mayhew, October 13, on bids for Installation of a New Membrane Roofing System at the Francis L. Murphy Ice Skating Rink, South Boston - Contract No. P96-1820-C1A.
(Messrs. Faucher and Mayhew recommend acceptance of the lowest bid received, that of Tar-Vel Roofing Company, of $78,000.00. They further request that the Commission execute the Contract).
The Commission VOTED: to accept the lowest bid received, that of Tar-Vel Roofing Company, of $78,000.00.

The Secretary then submitted for signature Contract No. P96-1820-C1A, dated October 19, 1995, with Tar-Vel Roofing Company, which was signed by the Commissioner and four Associate Commissioners.

1. Report of Messrs. Faucher and Sacco, September 18, recommending approval of the action of Acting Director Faucher resulting in revisions in quantities and Extra Work Orders on Contract No. P95-1788-C1B, with A & M Roofing and Sheet Metal Co., Inc., for Critical Repairs to MDC Swimming Pools and Service Buildings, as follows -

Revisions in Quantities

Item No. 003-002 - 6" Concrete Deck -	$19,100.00
Item No. 003-005 - Bituminous Concrete -	$ 4,740.00
Item No. 004-001 - 4" Concrete Block -	$ 6,960.00
Total -	**$30,800.00**

Extra Work Orders

Extra Work Order No. 6 Additional Plumbing Work - Hyde Park and Somerville Pools	$ 1,087.94
Extra Work Order No. 7 Additional Plumbing Work and Core Drilling - Brighton-Allston Pool	$ 2,242.93
Extra Work Order No. 8 Repair Filtration Piping - Cambridge Pool (McCrehan) and Scum Gutter Repairs at Cambridge Pool (Magazine)	$ 4,186.01
Extra Work Order No. 9 Remove Electrical Outlet - Somerville Pool (Latta)	$ 93.92
and approval of -	
Extra Work Order No. 10 Work To Accept New Overhead Door at Cambridge Pool (McCrehan)	$ 4,331.60
Total -	**$11,942.40**

(There will be an increase in Contract cost of $42,742.40, for the additional Revisions and Extra Work Orders. Account No. 2440-8952).

The Commission VOTED: to approve the action of Acting Director Faucher which resulted in revisions in quantities and Extra Work Orders on Contract No. P95-1788-C1B, with A & M Roofing and Sheet Metal Co., Inc., for Critical Repairs to MDC Swimming Pools and Service Buildings.

The Commission further VOTED: to approve the Revisions in Quantities.

The Commission further VOTED: to approve Extra Work Order No. 6, in the amount of $1,087.94.

The Commission further VOTED: to approve Extra Work Order No. 7, in the amount of $2,242.93.

The Commission further VOTED: to approve Extra Work Order No. 8, in the amount of $4,186.01.

The Commission further VOTED: to approve Extra Work Order No. 9, in the amount of $93.92.

The Commission further VOTED: to approve Extra Work Order No. 10, in the amount of $4,331.60.

Action was taken upon the following matter relating to the Watershed Management Division:

1. Report of Messrs. McGinn and Kane, October 6, requesting approval of an increase in the upset limit on Contract No. WM94-007-S1A, with GZA GeoEnvironmental, Inc., for Emergency Evaluation and Construction Design of Expedient Repairs to Goodnough Dike, Quabbin Reservoir, from $349,997.00 to $396,997.00, due to the need for additional emergency site investigation and evaluation.
Account No. 2420-8881.
The Commission VOTED: Approved.

Action was taken upon the following matter relating to the Office of Planning:

2. Report of Mrs. O'Brien, October 10, recommending approval and execution of a Contract-Agreement, with Alan H. Mountjoy, for Planning Intern Services for the MDC Planning Office, for the period from October 23, 1995 to June 30, 1996.
Compensation not-to-exceed $7,500.00.
Account No. 2449-6033.
The Commission VOTED: Approved.
The Secretary then submitted for signature Contract-Agreement, dated October 19, 1995, with Alan H. Mountjoy, the following paper which was signed by the Commissioner and three Associate Commissioners.
Associate Commissioner Wu did not participate in discussion nor vote on this matter.

Adjourned at 9:25 a.m., to meet on Thursday, October 26, 1995, at 9:00 a.m.

Secretary

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4th
t 26,1995

Record of the Three Thousand Seven Hundred and Forty Eighth (3749th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, October 26, 1995 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort and Wu.

The Records of the Commission Meeting held on October 12, 1995 were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and three Associate Commissioners:

1. Amendment, dated October 26, 1995, to Contract-Agreement No. WM94-007-S1A, with GZA GeoEnvironmental, Inc., for Emergency Evaluation and Construction Design of Expedient Repairs to Goodnough Dike, Quabbin Reservoir.

2. Contract-Agreements, dated October 26, 1995, for Rain Gauge Observers Services with Arthur R. Coolidge, Doris E. Cornwell, Glenn M. Dickson, John Guzik, Dennis S. Moore, John T. Flanagan, Jr., Kathryn R. Murdock and Worcester Horticultural County Citizens.

3. Contract-Agreement WM96-016-X1A, dated October 26, 1995, with Morrell Associates, for Laboratory Services for Giardia and Cryptosporidium Analysis.

Action was taken upon the following matters relating to the Engineering and Construction Division:

4. Report of Messrs. Faucher, Brooks and Haider, October 19, recommending approval of the request of Ledgewood Construction Co., Inc., Contractor on Contract No. P95-1778-C1A, for Installation of a 10" Water Line at the Blue Hills Ski Area, Canton, for an extension of time from September 30, 1995 to November 15, 1995, due to a delay in equipment manufacturing caused by a labor dispute.
(At no additional Contract cost).
The Commission VOTED: to approve an extension of time from September 30, 1995 to November 15, 1995, as recommended by Messrs. Faucher, Brooks and Haider in their report of October 19, 1995, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation. Assoicate Commissioner Elkort did not participate in discussion nor vote on this matter.

5. Report of Messrs. Faucher, DiPietro and Ivas, October 20, recommending approval of an extension of time from December 31, 1995 to December 31, 1996, on Contract No. P95-1798-M1A, with Aquatic Control Technology, Inc., for Control of Nuisance Aquatic Vegetation, Upper Mystic Lake, Winchester, due to the need for the third year of treatment.
(At no increase in Contract cost).
The Commission VOTED: Approved.

1. Report of Messrs. Faucher and Lenhardt, October 23, recommending approval and execution of an Amendment for an extension of time from November 1, 1995 to November 1, 1998 on Contract No. P78-0639-D2A, with Stone and Webster Civil and Transportation Services, Inc., for Restoration of the Longfellow Bridge, to allow time to negotiate a new scope of services, design remedial repairs and perform engineering service.
(At no increase in Contract cost).
The Commission V O T E D: Approved.
The Secretary then submitted for signature Amendment, dated October 26, 1995, to Contract-Agreement No. P78-0639-D2A, with Stone and Webster Civil and Transportation Services, Inc., which was signed by the Commissioner and three Associate Commissioners.

2. Report of Messrs. Faucher and McCalla, October 13, recommending approval of a revision in quantities on Item No. 5, Materials, Components, Parts - Lump Sum Allowance - at a cost of $12,650.00, on Contract No. P94-1736-M1A, with Coviello Electric and General Contracting Co., Inc., for Electrical Maintenance Work at Various Locations.
(At no increase in Contract cost as the revisions will be offset by unused quantities in Item 1 - Hourly Rate for Licensed Electrician, Item 2 - Hourly Rate for Electrical Helper, Item 3 - Hourly Rate for Vehicle and Item 4 - Hourly Rate for Power Staging).
The Commission V O T E D: Approved.

3. Report of Messrs. Faucher and McCalla, October 13, recommending approval of revision in quantities on Item No. 5, Materials, Components and Parts - at a cost of $14,000.00, on Contract No. P94-1737-M1A, with Coviello Electric and General Contracting Co., Inc., for Electronic and Sound System Maintenance Work at Various Locations.
(At no increase in Contract cost as the revisions will be offset by unused quantities in Item 1 - Hourly Rate for Licensed Electrician, Item 2 - Hourly Rate for Helper and Item 3 - Hourly Rate for Vehicle).
The Commission V O T E D: Approved.

Action was taken upon the following Various Matters:

4. Report of the Proposal Selection Committee, October 20, recommending that a one year permit for the management, operation and maintenance of the Blue Hills Ski Area be granted to Recreational Sports, Inc.
(Compensation to be paid the Commission shall be $15,000.00 per year - payable in installments).
The Commission V O T E D: Approved as recommended by the Proposal Selection Committee in their report of October 20, 1995.
Associate Commissioner Elkort did not participate in discussion nor vote on this matter.

5. Report of Mr. Rock, October 18, on proposals for Window Washing at 20 Somerset Street, Boston - (two washings - November, 1995 and May, 1996).

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Account No. 2440-0010 - Subsidiary JJ - Object Code J09.
(Mr. Rock recommends acceptance of the lowest bid received, that of Boston Windows & Floor Cleaning, of $1,300.00).
The Commission V O T E D: to accept the lowest bid received, that of Boston Windows & Floor Cleaning, of $1,300.00.

1. Report of Mr. Jewett, October 23, on behalf of the Consultant Selection Committee, recommending selection of Simpson Gumpertz & Heger, Inc., for Contract No. P93-1672-D1A, for Professional Engineering Services for Bridges, Parkways and Other Commission Facilities.
Cost - $250,000.00 - subject to negotiations.
Time for Performance - thirty six months.
Account No. 2450-1093.
The Commission V O T E D: Delete from Agenda.

Adjourned at 9:40 a.m., to meet on Thursday, November 2, 1995, at 9:00 a.m.

William J. Chisholm
Secretary

Record of the Three Thousand Seven Hundred and Fiftieth (3750th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, November 2, 1995 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Elkort and Settles.

The Records of the Commission Meeting held on October 19, 1995 were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and two Associate Commissioners:

1. Contract-Agreement, dated November 2, 1995, with David Rota, for Rain Gauge Observer Services.

2. Contract, dated November 2, 1995, with Boston Windows & Floor Cleaning, for Window Washing at 20 Somerset Street, Boston - (two washings - November, 1995 and May, 1996).

3. Amendment, dated November 2, 1995, to Open Order Contract No. RP96-0004, with Long Cove Corporation, d/b/a Lord Associates, for Appraisal and Title Examination Services.

4. Contract-Agreement No. P96-1826-D1A, dated November 2, 1995, with Bourne Consulting Engineering, for Boston Harbor Beaches Early Resanding Program.

5. Contract No. P96-1815-C1A, dated November 2, 1995, with Ledgewood Construction, for Reconstruction of Charlesbank Playground, Charles River Esplanade, Boston.

Action was taken upon the following matters relating to the Engineering and Construction Division:

6. Report of Messrs. Faucher and Brooks, October 24, recommending approval of the action of Acting Director Faucher resulting in an extra work order and an extension of time on Contract No. P96-1825-C1A, with D. Clancy & Sons, for Emergency Structural Repairs to Steriti Rink, North End, Boston, as follows -
Extra Work Order No. 1 - Raise Depressed Roof Areas that are
Holding Standing Water.
Cost not-to-exceed - $5,400.00.
An extension of time from October 19, 1995 to November 2, 1995.
Account No. 2440-8952.
The Commission V O T E D: to approve the action of Acting Director Faucher which resulted in an extra work order and an extension of time on Contract No. P96-1825-C1A.
The Commission further V O T E D: to approve Extra Work Order No. 1, in a cost not-to-exceed $5,400.00.
The Commission further V O T E D: to approve an extension of time from October 19, 1995 to November 2, 1995, as recommended by Messrs. Faucher and Brooks in their report of October 24, 1995, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

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1. Report of Messrs. Faucher, Brooks an Coppola, October 24, on bids for Repair to Sally Port Entrance Granite, Fort Independence, Castle Island, South Boston, Contract No. P93-1693-C2A.
(Messrs. Faucher, Brooks and Coppola recommend acceptance of the lowest bid received, that of A. Monti Granite Co., Inc., of $7,490.00).
The Commission V O T E D: to accept the lowest bid received, that of A. Monti Granite Co., Inc., of $7,490.00.

2. Report of Messrs. Faucher, Brooks and Martinez, October 25, on bids for New Sewer System at Simoni Rink, Cambridge - Phase I, Building to City Sewer Line, Contract No. P96-1830-C1A.
(Messrs. Faucher, Brooks and Martinez recommend acceptance of the lowest bid received, that of D'Allesandro Corp., of $12,914.00. Messrs. Faucher, Brooks and Martinez further request that the Contract be executed).
The Commission V O T E D: to accept the lowest bid received, that of D'Allesandro Corp., of $12,914.00.
The Secretary then submitted for signature Contract No. P96-1830-C1A, dated November 2, 1995, with D'Allesandro Corp., which was signed by the Commissioner and two Associate Commissioners.

3. Report of Messrs. Faucher and Sacco, September 20, recommending approval of the action of Acting Director Faucher resulting in revisions in quantities on the following items on Contract No. P82-1128-C2A, with John J. Paonessa Co., Inc., for Rehabilitation of Mystic Valley Parkway, Winchester -
Item No. 016-010 - Water/Dust Control - $37,687.50
Item No. 018-010 - Granite Curb R & R - $ 7,976.50
Item No. 040-010 - Temp Pave Mark 4" - $ 1,127.00
Item No. 040-011 - Temp Pave Mark 6" - $ 389.48
Total - $47,180.48
(At no additional Contract cost as the revisions will be offset by unused quantities in Item 017-010 - Granite Curb-New and Item 017-040 - Granite Transition Curb New).
The Commission V O T E D: to approve the action of Acting Director Faucher which resulted in revisions in quantities on Contract No. P82-1128-C2A.
The Commission further V O T E D: to approve the revisions in quantities as recommended by Messrs. Faucher and Sacco in their report of September 20, 1995.

4. Report of Miss Overton and Messrs. Faucher and Orfant, October 20, submitting for approval Work Schedule, Project Summary, Project Justification and requesting permission to advertise Project No. P96-1831-C1A, for the Dorchester Shores Reservation: Building Demolition and Site Improvement Project.
Estimated Cost - $200,000.00.
Time for Performance - three months.
Account No. 2440-8956.
The Commission V O T E D: Approved.
The Commission further V O T E D: permission to advertise Project No. P96-1831-C1A, for the Dorchester Shores Reservation: Building Demolition and Site Improvement Project.

1. Report of Miss Overton and Mr. Traficante, October 24, requesting approval and execution of Contract No. P96-1827-X1A, with Harvard University School of Public Health, to Provide Continued Testing for Nitrogen Dioxide at MDC Facilities.
Time for Performance - November 1, 1995 to June 30, 1997.
Act a cost not-to-exceed $10,000.00.
$4,500.00 - FY96 - Account No. 2440-0010.
$5,500.00 - FY97 - Contingent upon availability of funds.
The Commission VOTED: Held Over.

2. Report of Messrs. Faucher and Sacco, October 27, recommending approval of an extension of time from October 30, 1995 to December 30, 1995, on Contract No. P95-1788-C1B, with A & M Roofing and Sheet Metal Co., Inc., for Critical Repairs to MDC Swimming Pools and Service Buildings, due to the need to complete work delayed until after the 1995 pool season.
(At no increase in Contract cost).
The Commission VOTED: to approve an extension of time from October 30, 1995 to December 30, 1995, as recommended by Messrs. Faucher an Sacco in their report of October 27, 1995, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

3. Report of Messrs. Faucher and Jackson, October 19, submitting for approval Project Summary, Project Justification, Work Schedule and requesting authorization to advertise Project No. P96-1832-C1A, for Park Construction at Kent's Carpetland Parcel, Quincy Shore Drive, Quincy.
Estimated Cost - $65,000.00.
Project will get underway - Spring of 1996.
Account No. 2440-8956.
The Commission VOTED: Approved.
The Commission further VOTED: authorization to advertise Project No. P96-1832-C1A, for Park Construction at Kent's Carpetland Parcel, Quincy Shore Drive, Quincy.

4. Report of Messrs. Faucher and Kirwin, October 26, submitting for approval Work Schedule, Project Summary, Project Justification and requesting permission to advertise Project No. P96-1823-D1A, for Professional Traffic Engineering Services.
Estimated Cost - $250,000.00.
Time for Performance - thirty-six months.
Account No. 2490-0010.
The Commission VOTED: Approved.
The Commission further VOTED: permission to advertise Project No. P96-1823-D1A, for Professional Traffic Engineering Services.

Action was taken upon the following matters relating to the Watershed Management Division:

5. Report of Messrs. McGinn and Orfant, October 26, recommending approval and execution of an Amendment for a one day extension of time to September 1, 1995, on Contract No. WM95-080-X1A, with

Clean Harbors, Inc., for Wachusett Watershed Pilot Household Hazardous Waste Collection.
(At no increase in Contract cost).
The Commission VOTED: Held Over.

1. Report of Messrs. McGinn and Robert O'Connor, October 20, recommending the following on Contract No. WM95-075-S1A, with D'Amore Associates, for Environmental Impact Assessment of Proposed Bayberry Common Development in West Boylston -
(a) That work be accepted as completed as of August 31, 1995.
(b) That Invoice No. 3, in the amount of $5,620.00, be approved for payment.
(Basis of Award - $10,000.00)
(Total to Date - $ 9,145.60)
(Contractor's Performance - 8.00 with 10.00 being excellent).
The Commission VOTED: that the work of D'Amore Associates, Consultant under Contract No. WM95-075-S1A, be and hereby is accepted as completed as of August 31, 1995.
The Commission further VOTED: to approve Invoice No. 3, in the amount of $5,620.00, for payment.

Action was taken upon the following Various Matters:

2. Report of Mr. Jewett, October 30, on behalf of the Consultant Selection Committee, recommending selection of Camp Dresser & McKee, Inc., for Contract No. WM95-052-S1A, for Wachusett Stormwater Management Plan.
Estimated Cost - $150,000.00 - subject to negotiations.
Time for Performance - estimated at eighteen months.
(Account No. 2420-1400).
The Commission VOTED: Approved.

3. Report of Mr. Doak, October 30, recommending renewal of certain ice skating rink concessions for the 1995/1996 winter season.
The Commission VOTED: to renew certain ice skating rink concession permits for the 1995/1996 winter season, as follows -

LOCATION	CONCESSIONAIRE	PERMIT FEE
Anthony A. LoConte Rink Veterans Memorial Pkwy. Medford	Medford Youth Hockey	$1.00 per season - plus $100.00 per month for utilities.
Paul W. Cronin Arena Revere Beach Parkway Revere	Revere Youth Hockey	$1.00 per season - plus $100.00 per month for utilities.
Francis L. Murphy Rink William J. Day Blvd. South Boston	South Boston Youth Hockey	$1.00 per season - plus $100.00 per month for utilities.
Alexander S. Bajko Rink Turtle Pond Parkway Hyde Park	Hyde Park Youth Hockey	$1.00 per season - plus $100.00 per month for utilities.
Robert M. Devine Rink Morrissey Boulevard Dorchester	Neponset Youth Hockey	$1.00 per season - plus $100.00 per month for utilities.

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Record of the Three Thousand Seven Hundred and Forty Fourth (3744th) meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, September 21, 1995 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort and Wu.

The Records of the Commission Meeting held on August 31, 1995 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher and Carrigan, September 13, recommending the following on Contract No. P94-1733-C1A, with J. Marchese & Son, Inc., for Repairing/Replacing Bituminous and Cement Concrete Sidewalks and Curbing at Various Locations -
(a) That work be accepted as completed as of July 30, 1995.
(b) That Estimate No. 16 (Final), in the amount of $18,074.22, be approved for payment.
(c) That reserve, in the amount of $951.28, be approved for payment.
(Basis of Award - $704,008.00)
(Amount to Date - $608,440.94)
(Contract Administration Rating - 3.00)
(EEO Compliance - 4.20)
The Commission VOTED: that the work of J. Marchese & Son, Inc., Contractor under Contract No. P94-1733-C1A, be and hereby is accepted as completed as of July 30, 1995.
The Commission further VOTED: to approve Estimate No. 16 (Final), in the amount of $18,074.22, for payment.
The Commission further VOTED: to approve release of reserve, in the amount of $951.28, for payment.

2. Report of Messrs. Faucher and Gordon Graham, September 15, requesting award and authorization for Commissioner Balfour to execute, on behalf of the Commission, Sole Service Contract No. P95-1764-S1A, with Gerald S. Parker, for Lead Paint Safety Protocols of Engineering and Construction Technical Assistance.
Cost - $4,060.00.
Time for Performance - estimated at three months.
Account No. 2410-7872.
The Commission VOTED: to award Sole Service Contract No. P95-1764-S1A, for Lead Paint Safety Protocols of Engineering and Construction Technical Assistance, to Gerald S. Parker, in the amount of $4,060.00.
The Commission further VOTED: authorization for Commissioner Balfour to execute Sole Service Contract No. P95-1764-S1A, on behalf of the Commission, as requested by Messrs. Faucher and Gordon Graham in their report of September 15, 1995.

3. Report of Ms. Overton and Messrs. Faucher and Orfant, September 15, requesting that the Commission amend the vote of September 14, 1995, approving and giving authorization to advertise Contract No. P96-1826-D1A, for Consultant Services for Boston

Harbor Beaches Early Resanding Program by reducing the scope from four sites to two sites which are Pleasure Bay and Wollaston Beach. All other aspects of the vote of September 14, 1995, will remain the same.

Associate Commissioner Wu questioned why the scope of the project was reduced from four to two sites.

Mr. Orfant stated that the scope was reduced in order to expedite the design and permitting process and to allow time for a thorough community process before construction starts next spring.

In addition, he explained, the reduction from four locations to two locations will provide for better quality and an increase in quantity of sand at the Pleasure Bay and Wollaston Beach without a change in the project cost.

Mr. Orfant noted that the design Contract cost will not exceed $50,000.00, while the construction cost will be approximately one million dollars and will take three months to complete.

The Commission VOTED: to amend the vote of September 14, 1995, approving and giving authorization to advertise Contract No. P96-1826-D1A, for Consultant Services for Boston Harbor Beaches Early Resanding Program by reducing the scope from four sites to two sites which are Pleasure Bay and Wollaston Beach. All other aspects of the vote of September 14, 1995, will remain the same.

Action was taken upon the following matter relating to the Watershed Management Division:

1. Report of Messrs. McGinn and Vignaly, September 6, submitting for approval and execution Joint Funding Agreement, with the United States Department of the Interior, Geological Survey, to assist in carrying out a Cooperative Stream Gauging Program covering the period October 1, 1995 through September 30, 1996.
Contract No. WM96-067-S1A.
Department of the Interior Share - $34,090.00.
MDC Share - $35,390.00.
Account No. 2420-1400 sub TT.
The Commission VOTED: Approved.
The Secretary then submitted for signature Joint Funding Agreement, dated September 21, 1995, with the United States Department of the Interior, Geological Survey, which was signed by the Commissioner and three Associate Commissioners.

Action was taken upon the following matters relating to the Recreational Facilities and Programs Division:

2. Report of Mr. Doak, August 25, requesting approval of a Service Contract with R. F. Morse & Son, Inc., for a Deep Tine Aerification at the MDC Ponkapoag Golf Course, Canton.
Cost - $5,100.00.
Account No. 2440-4000.
The Commission VOTED: Approved.
Associate Commissioner Elkort did not participate in discussion nor vote on this matter.

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1. Report of Mr. Doak, September 14, requesting that the Commission designate the Bathhouse at the Nantasket Beach Reservation in honor of Representative Mary Jeanette Murray.
The Commission V O T E D: Approved as requested by Mr. Doak in his report of September 14, 1995.

Action was taken upon the following Various Matters:

2. Report of Mr. Jewett, September 18, on behalf of the Consultant Selection Committee, requesting award of Contract No. P95-1763-X1A, to Weston and Sampson Engineers, Inc., for Services of a Licensed Site Professional to oversee the assessment and clean-up of as many high priority sites as funds will allow.
Cost not-to-exceed - $50,000.00 paid on an hourly basis.
Time for Performance - twelve months.
Account No. 2490-0012.
The Commission V O T E D: Approved.

3. Report of Mr. Duffy, September 21, recommending renewal of a permit to the Boston Bruins Hockey Club to use the Charles River Dam Parking Lot, for parking of up to 25 vehicles, for the sum of $5.00 per vehicle, per day from September 29, 1995 through the conclusion of the 1995-1996 hockey schedule.
The Commission V O T E D: Approved as recommended by Mr. Duffy in his report of September 21, 1995 and subject to the following conditions:

> The Permit is revocable with five day written notice from the Secretary's Office.
>
> Permit payment will be billed to the Boston Bruins Hockey Club payable in advance to the Commission on a monthly basis.
>
> The Boston Bruins Hockey Club will hold the Commonwealth of Massachusetts, the Metropolitan District Commission and its agents and servants harmless and indemnified against all claims and demands for damages to persons or property arising out of the exercise of this Permit.

Adjourned at 9:35 a.m., to meet on Thursday, September 28, 1995, at 9:00 a.m.

Secretary

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Record of the Three Thousand Seven Hundred and Forty Fifth (3745th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, September 28, 1995 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort and Settles.

The Records of the Commission Meeting held on September 14, 1995 were read and approved.

The Secretary submitted for signature the following paper which was signed by the Commissioner and three Associate Commissioners:

1. Service Contract, dated September 28, 1995, with R. F. Morse & Son, Inc., for a Deep Tine Aerification at the MDC Ponkapoag Golf Course, Canton.

Action was taken upon the following matters relating to the Engineering and Construction Division:

2. Report of Messrs. Faucher and Lenhardt, September 19, submitting for approval and execution Traffic Control Agreement, between the Massachusetts Highway Department and the Metropolitan District Commission, for Federal Aid Project No. BRZ-000S(449), Fresh Pond Lane and Fresh Pond Parkway, Cambridge.
The Commission VOTED: Approved.
The Secretary then submitted for signature Traffic Control Agreement, dated September 28, 1995, between the Massachusetts Highway Department and the Metropolitan District Commission, for Federal Aid Project No. BRZ-000S(449), Fresh Pond Lane and Fresh Pond Parkway, Cambridge, which was signed by the Commissioner and three Associate Commissioners.

3. Report of Messrs. Faucher and Jackson, September 17, recommending ratification and approval of the action of Acting Director Faucher resulting in Extra Work Order No. 1 - Installation of Irrigation Fixtures at the Oval and Replanting the Area in Front of the Hatch Memorial Shell - at a cost of $17,070.00, on Contract No. P95-1794-C1A, with Foye & Letendre Landscaping, Inc., for Landscape Enhancements to MDC Properties.
Account No. 2440-9845.
The Commission VOTED: to ratify and approve the action of Acting Director Faucher which resulted in Extra Work Order No. 1 on Contract No. P95-1794-C1A.
The Commission further VOTED: to Approve Extra Work Order No. 1, in the amount of $17,070.00.

4. Report of Messrs. Faucher and Soroka, September 17, recommending approval of revisions in quantities on the following items on Contract No. P94-1709-M1A, with Coviello Electric and General Contracting Co., Inc., for Servicing Traffic Signals & Control Systems, Charles River Basin Districts -

Item No. 004-020 Hourly Labor Rate for Licensed Electrician	$ 4,500.00
Item No. 004-030 Labor Rate for Helper for Miscellaneous Repairs	$ 7,500.00

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Item No. 016-010 $ 125.00
General Purpose Work

Total - $12,125.00

(At no increase in Contract cost as the revisions will be offset by unused quantities in Item No. 004-010 - Labor Rate for Licensed Controller Technician and Item No. 009-010 - Pedestrian Pushbutton and Sign).
The Commission VOTED: Approved as recommended by Messrs. Faucher and Soroka in their report of September 17, 1995.

1. Report of Messrs. Faucher and Haider, September 22, on bids for Installation of Heating and Dehumidification System, Connell Pool, Weymouth.
(Messrs. Faucher and Haider recommend acceptance of the lowest bid received, that of P. H. Mechanical Corp., of $127,450.00).
The Commission VOTED: to accept the lowest bid received, that of P. H. Mechanical Corp., of $127,450.00.

2. Report of Messrs. Faucher and Machado, September 18, recommending approval of a revision in quantities on Item No. 041-0100 - Galvanized Chain Link Fence, 6 ft. high - at a cost of $1,800.00, on Contract No. P94-1734-C1A, with Citiworks, Inc., for Installation of Closure Gates, Guard Rail and Fences at Various Locations in the Metropolitan District.
(At no increase in Contract cost as the revision will be offset by unused quantities in Item No. 048-010 - Furnish and Install, Repair or Replace Boston Pattern Fence).
The Commission VOTED: Approved as recommended by Messrs. Faucher and Machado in their report of September 18, 1995.

3. Report of Miss Overton and Mr. Traficante, September 21, recommending approval and execution of an Amendment for an extension of time from September 30, 1995 to April 1, 1996, on Contract No. P94-1748-X1A, with ATC Environmental Services, Inc., for Lead Based Paint Testing Services at 12 Brainerd Street, Hyde Park, in order to allow sufficient time to complete work ancillary to the overall project, but not related to the specific scope of the project.
(At no increase in Contract cost).
The Commission VOTED: Approved.
The Secretary then submitted for signature Amendment, dated September 28, 1995, with ATC Environmental Services, Inc., which was signed by the Commissioner and three Associate Commissioners.

4. Report of Mr. Jewett, September 25, on behalf of the Consultant Selection Committee, requesting award of Contract No. P93-1668-X2A, to Halvorson Company, Inc., for Professional Landscape Architect Services.
Estimated Cost - $150,000.00 - subject to negotiations.
Time for Performance - twelve months.
Account No. 2441-9886.
The Commission VOTED: Approved as requested by Mr. Jewett in his report of September 25, 1995.

5. Report of Messrs. Faucher, Brooks and Martinez, September 25,

recommending ratification of all actions taken by the Division, approval and execution by the Commission of Service Agreement No. P96-1825-D1A, with Roy Associates, Inc., at an estimated cost of $3,000.00, for preparation of a bid proposal, and further that Emergency Contract No. P96-1825-C1A, for Emergency Structural Repairs to Steriti Skating Rink, North End, Boston, be awarded to D. Clancy & Sons, low bidder for the project, with a proposal of $58,200.00.
Time for Performance - estimated at three weeks.
Account No. 2440-8952.
The Commission VOTED: to ratify all actions taken by the Division in regard to Service Agreement No. P96-1825-D1A, for preparation of a bid proposal for Emergency Structural Repairs to Steriti Skating Rink, North End, Boston.
The Commission further VOTED: to approve Service Agreement No. P96-1825-D1A with Roy Associates, Inc., for an estimated cost of $3,000.00.
The Secretary then submitted for signature Service Agreement No. P96-1825-D1A, dated September 28, 1995, with Roy Associates, Inc., which was signed by the Commissioner and three Associate Commissioners.
The Commission further VOTED: to award Emergency Contract No. P96-1825-C1A, for Emergency Structural Repairs to Steriti Skating Rink, North End, Boston, to D. Clancy & Sons, in the amount of $58,200.00.

Action was taken upon the following matter relating to the Watershed Management Division:

1. Report of Messrs. McGinn and Robert O'Connor, September 21, 1995, on proposals for the purchase of forest products located on the Quabbin, Ware River, Sudbury and Wachusett Watersheds.
The Commission VOTED: to accept the highest qualified bid, that of Everett LaBree, of $2,046.00; to purchase approximately 3,180 board feet of timber and 126 cords of firewood on Timber Lot No. 109A - Wachusett Reservoir Watershed.
The Commission further VOTED: to accept the only qualified bid, that of Bosse Logging, of $2,650.00; to purchase approximately 22,317 board feet of timber, 112 cords of firewood and 50 cords of pulp on Timber Lot No. 128 - Wachusett Reservoir Watershed.
The Commission further VOTED: to accept the highest qualified bid, that of Bruce Gurney, of $5,617.30; to purchase approximately 76,883 board feet of timber, 65 cords of pulp and 71 cords of pulp tops on Timber Lot No. 16 - Sudbury Reservoir Watershed.
The Commission further VOTED: to accept the highest qualified bid, that of New England Forest Products, of $2,734.15; to purchase approximately 39,410 board feet of timber and 92 cords of firewood on Timber Lot No. 220A - Ware River Watershed.
The Commission further VOTED: to accept the highest qualified bid, that of T. Jepson & Son, of $4,020.00; to purchase approximately 73,420 board feet of timber, 195 cords of firewood and 286 tons of whole tree wood on Timber Lot No. 248 - Ware River Watershed.

LOCATION	CONCESSIONAIRE	PERMIT FEE
Emmons-Horrigan-O'Neil Rink Rutherford Avenue Charlestown	Charlestown Youth Hockey	$1.00 per season - plus $100.00 per month for utilities.
Rev. Romano Simoni Rink Gore Street Cambridge	Cambridge Youth Hockey	$1.00 per season - plus $100.00 per month for utilities.
Max Ulin Rink Unquity Road Milton	Milton Youth Hockey	$1.00 per season - plus $100.00 per month for utilities.

1. Report of Miss Overton, October 30, on behalf of the Selection Committee requesting approval and execution of a Contract with Jenna L. Ide, for Subwatershed Program Coordination Services for the Neponset River Watershed Initiative Project.
Compensation - $22,050.00.
Time for Performance - twelve months.
Account No. 2449-8755.
The Commission V O T E D: Held Over.

Action was taken upon the following matters relating to the Office of Real Property:

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1. Report of Mr. Gray, October 27, recommending that the Commission adopt an Order of Taking for acquisition of approximately 7.94 acres of land owned by Eliot R. Freeman, located in the Town of West Boylston, Massachusetts, and to approve an award of damages in the amount of $110,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.
Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 7.94 acres of land owned by Eliot R. Freeman, located in the Town of West Boylston, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, November 2, 1995.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of West Boylston in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying on the southerly side of Goodale Street, southeasterly of Phelps Place, and southwesterly of Marsh Hawk Way, more particularly bounded and described, as follows:

Beginning at a concrete bound set at a point on the southerly side of Goodale Street, said point lying at the northeasterly corner of land, now or formerly, of Mark B. & Barbara Sullivan, and being also the northwesterly corner of "Acorn Path", a private way;

Thence S. 38° 40′ 40" E., 200.00 feet, to another concrete bound set at a corner;

Thence S. 51° 39′ 15" W., 100.17 feet, to a point, in a stone wall remnant, at land, now or formerly, of Richard P. & Judith H. St. Pierre, the last two

courses being by land, now or formerly, of Sullivan;

Thence S. 57° 28′ 10" E., 108.79 feet, by stone wall remnants and land, now or formerly, of St. Pierre, to a point in a stone wall, at land, now or formerly, of Maurice E. & Mildred A. Garside;

Thence S. 48° 13′ 40" E., 128.36 feet, by the stone wall, and land, now or formerly, of Garside, to a point, at land, now or formerly, of Ralph G. & Marilyn A. Pendleton;

Thence S. 59° 45′ 25" W., 215.12 feet, by land, now or formerly, of Pendleton, to a point, at land, now or formerly, of Harold W. & Frederica L. Griswold;

Thence S. 38° 44′ 15" E., 35.00 feet, by land, now or formerly, of Griswold, to a point at the end of a stone wall, and land, now or formerly, of Wallace E. & Isobel Baldarelli;

Thence N. 59° 26′ 13′ E., by the stone wall, 206.48 feet, to a point at a corner of stone walls;

Thence S. 21° 39′ 49" E., by the wall, 460.81 feet, to a drill hole found;

Thence S. 21° 00′ 10" E., by the wall, 53.00 feet, to a point, at other land, now or formerly, of Eliot Freeman;

Thence N. 46° 34′ 29" E., 361.27 feet, by land, now or formerly, of Freeman, to a point, at land, now or formerly, of Thomas H. Cahn;

Thence N. 33° 46′ 15" W., 160.00 feet, to a point at a corner of stone walls;

Thence N. 49° 48′ 36" E., by and through the stone wall, and land, now or formerly, of Cahn, 393.55 feet, to a point at other land, now or formerly, of Eliot Freeman;

Thence N. 25° 48′ 00" E., by land, now or formerly, of Freeman, 263.00 feet, to a point, at land, now or formerly, of Ronald C. & Mary J. Varner;

Thence	N. 35° 49′ 45" W., by land, now or formerly of Varner, 147.03 feet, to a point, at land, now or formerly, of Albert A. & Frances A. Maino;
Thence	S. 56° 15′ 30" W., 81.85 feet, to a point;
Thence	N. 38° 33′ 00" W., 20.00 feet, to a point at a corner, and land, now or formerly, of Lyle A. & Shirley M. Smith;
Thence	S. 55° 46′ 15" W., 390.65 feet, by land, now or formerly, of Smith, of Ragnar & Alice P. Soderlund, of Robert B. & F. Gwendolyn Soule, and of Barbara M. Wallace, to a concrete bound set at a point on the easterly side of "Acorn Path";
Thence	N. 38° 40′ 40" W., by "Acorn Path" and land, now or formerly, of Wallace, 200.00 feet, to a concrete bound set at a point on the southerly line of Goodale Street;
Thence	S. 53° 07′ 20" W., by the southerly line of Goodale Street, to the first mentioned concrete bound, being the point and place of beginning.

Containing 7.94 acres, more or less, shown as Lots 11 and 12, and Acorn Path, a private way, upon a plan entitled "Lost Oak Road Definitive Plan Property In West Boylston, Mass. Owned And To Be Subdivided By Eliot R. Freeman 8 West Terrace, Salem Mass.", dated August 10, 1985 and revised April 1, 1989, prepared by James B. Kalloch, and recorded with Worcester District Registry of Deeds as Plan 84 in Plan Book 620.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Goodale Street which may be held by the supposed owner, and being a portion of the same premises described in a deed from Charlotte I. Druce et als, Trustees of the Raymond P. Harold Trust, to Eliot R. Freeman, dated January 18, 1982 and recorded with Worcester District Registry of Deeds in Book 7410, Page 271.

The above described property is represented upon West Boylston Assessors Tax Map 147 as Lots 18.1, 18.2 and 18.3.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Eliot R. Freeman	$ 110,000.00

The Commission further VOTED: to approve an award of damages in the amount of $110,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, October 27, recommending that the Commission adopt an Order of Taking for acquisition of approximately 3.29 acres of land owned by Robert C. Prescot, located in the Town of West Boylston, Massachusetts, and to approve an award of damages in the amount of $83,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.
   Account No. 2420-8936.
   The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 3.29 acres of land owned by Robert C. Prescot, located in the Town of West Boylston, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, November 2, 1995.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of West Boylston in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying on the westerly side of the road formerly leading from West Boylston to Boylston and known as Hartwell Street, more particularly bounded and described as follows:

Beginning at a point in the westerly line of Hartwell Street, at land, formerly of one Cram, now or formerly, of Frank R. and Dolores Devillers;

Thence N. 76° 33′ 30" W. 115.31 feet by a stone wall and land, formerly of the said Cram, now or formerly, of F. & D. Devillers, to an iron pin;

Thence N. 76° 21′ 00" W. 170 88 feet, by the stone wall, to a point;

Thence N. 80° 40′ 00" W. 35.44 feet, by the stone wall, to a point at land, now or formerly, of the Boston & Maine Railroad, the last two courses being by land, now or formerly, of the aforesaid Devillers;

Thence Northeasterly by a curve having a radius of 1391.45 feet, a distance of 75.99 feet to a point;

Thence N. 23° 59′ 40" E. 426.91 feet, to a point;

Thence Northeasterly by a curve with a radius of 1341.95 feet, a distance of 110.90 feet, to a point at land formerly of one Mulcahy, now or formerly, of New England Power Company, the last three courses being by land, now or formerly, of the Boston & Maine Railroad;

Thence S. 03° 39′ 10" W. 156.15 feet to a point;

Thence S. 79° 20′ 50" E. 141.56 feet to a point;

Thence S. 75° 54′ 30" E. 56.48 feet to a point;

Thence S. 73° 19′ 10" E. 40.69 feet to a point on the westerly line of Hartwell Street, the last four courses being by land formerly of Mulcahy, now or formerly, of New England Power Company;

Thence S. 16° 47′ 50" W. 153.64 feet to a point;

Thence S. 21° 08′ 00" W. 302 feet to the point and place of beginning.

Containing about 3.29 acres as shown upon a plan entitled "Plan of Property in West Boylston, Mass. owned by H.R. Prescott & Sons", dated March 9, 1960, and revised September 29, 1962, prepared by Francis B. Thompson, C.E.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Hartwell Street which may be held by the supposed owner, and being the same premises described in a deed from Robert C. Prescott and Donna P. Prescott to Robert C. Precsott, dated April 6, 1984 and recorded with Worcester District Registry of Deeds at Book 8149, Page 233.

-) The above described property is represented upon West Boylston Assessors Tax Map 170 as Parcel 3.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Robert C. Prescott	$ 83,000.00

The Commission further VOTED: to approve an award of damages in the amount of $83,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

The following matter was placed on the agenda for the information of the Commission:

1. The following schedules were approved for payment by the Commissioner during the period from September 1, 1995 to September 30, 1995.

Expenditures	$3,420,009.74

Adjourned at 9:55 a.m., to meet on Thursday, November 9, 1995, at 9:00 a.m.

William J. Chesbrough
Secretary

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Record of the Three Thousand Seven Hundred and Fifty First (3751st) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, November 9, 1995 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Settles and Wu.

The Records of the Commission Meeting held on October 26, 1995 were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and three Associate Commissioners:

1. Contract, dated November 9, 1995, with Clean Harbors Environmental Services, Inc., for Hazardous Waste Inventory and Analysis of Materials Stored at Redman Farm, Canton.

2. Permit-Agreement, dated November 9, 1995, with Recreational Sports, Inc., for the Management, Operation and Maintenance of the Blue Hills Ski Area for the 1995-1996 ski season.

Action was taken upon the following matters relating to the Engineering and Construction Division:

3. Report of Miss Overton and Mr. Traficante, October 24, requesting approval and execution of Contract No. P96-1827-X1A, with Harvard University School of Public Health, to Provide Continued Testing for Nitrogen Dioxide at MDC Facilities.
Time for Performance - November 1, 1995 to June 30, 1997.
Act a cost not-to-exceed $10,000.00.
$4,500.00 - FY96 - Account No. 2440-0010.
$5,500.00 - FY97 - Contingent upon availability of funds.
The Commission VOTED: Approved.
The Secretary then submitted for signature Contract No. P96-1827-X1A, dated November 9, 1995, with Harvard University School of Public Health, to Provide Continued Testing for Nitrogen Dioxide at MDC Facilities, which was signed by the Commissioner and three Associate Commissioners.
Associate Commissioner Wu did not participate in discussion nor vote on this matter.

4. Report of Messrs. Faucher and Carrigan, October 20, recommending approval of the request of John J. Paonessa Company, Inc., General Contractor on Contract No. P85-1341-C1A, for Rehabilitation of Lynn Shore Drive, Lynn Beach, King's Beach Seawall Rehabilitation, to engage the services of Eastern Seaboard Concrete Construction as sub-contractor for $1,168,950.00 worth of work.
(At no increase in Contract cost).
The Commission VOTED: Approved.

5. Report of Mr. Faucher and Mrs. Graves-Jones, October 31, submitting for approval Work Schedule, Project Summary, Project Justification and requesting permission to advertise Project No. P96-1822-M1A, for Installation of Reflectorized Pavement Markings

on the Parkways and Roadways of the MDC.
Estimated cost - $260,000.00.
Time for Performance - nineteen months.
Account No. 2490-0012.
The Commission V O T E D: Approved.
The Commission further V O T E D: permission to advertise Project No. P96-1822-M1A, for Installation of Reflectorized Pavement Markings on the Parkways and Roadways of the MDC.

1. Report of Mr. Faucher and Miss Peterson, October 31, recommending approval of the request of The Middlesex Corporation/Middlesex Paving/Middlesex Bituminous Products/ Middlesex Inc./Middlesex Materials Corporation, General Contractor on Contract No. P82-1054-C1A, for Repair of Charles Circle Bridges #57A and #57B, Boston - to engage the services of **Liddell Brothers, Inc.**, as sub-contractor for the following -

Item No. 045-010		**$10,560.00**
Safety Signing for Construction Operations		
Item No. 045-020		**$ 8,036.00**
Special Lighting Unit (flashing arrow)		
Item No. 048-010		**$ 1,600.00**
Permanent Pavement Markings		
Item No. 048-020		**$12,800.00**
Temporary Pavement Markings		
	Total	**$32,996.00**

(At no Increase in Contract cost).
The Commission V O T E D: Approved.

2. Report of Messrs. Faucher and DiPietro and Miss Clutchey, October 31, recommending approval and execution of Contract No. P95-1765-M1A, with ETA Associates, for Calibration of Carbon Monoxide Monitors for the Air Quality Monitoring System at Ice Skating Rinks.
Time for Performance - two years.
Total Cost - $8,500.00.
Account No. 2440-0010.
The Commission V O T E D: Approved.
The Contract was not executed as it did not arrive in time for the Commission Meeting.

Action was taken upon the following matters relating to the Wateshed Management Division:

3. Report of Messrs. McGinn and Orfant, October 26, recommending approval and execution of an Amendment for a one day extension of time to September 1, 1995, on Contract No. WM95-080-X1A, with Clean Harbors, Inc., for Wachusett Watershed Pilot Household Hazardous Waste Collection.
(At no increase in Contract cost).
The Commission V O T E D: Approved.
The Secretary submitted for signature Amendment, dated November 9, 1995, to Contract No. WM95-080-X1A, with Clean Harbors, Inc., for Wachusett Watershed Pilot Household Hazardous Waste Collection, which was signed by the Commissioner and four Associate Commissioners.

1. Report of Messrs. McGinn and Kane, October 31, requesting approval of an extension of time from December 14, 1995 to June 30, 1999, on Contract No. WM87-013-D1A, with GZA GeoEnvironmental, Inc., for Design Services, Wachusett Dam, Spillway and Channel.
(At no increase in Contract cost).
The Commission VOTED: Approved.

2. Report of Messrs. McGinn and Robert O'Connor, October 3, recommending approval and execution of an Amendment to Contract No. WM94-011-X1A with Rexford V. N. Baker - (as approved by the Commission at its meeting of October 27, 1994 - for Wachusett Private Lands Forestry Services) - which calls for a change in Contract dates from November 15, 1994 to November 14, 1995 to May 1, 1995 to June 30, 1996 and also calls for a change in funding of the approved $41,809.40 from Account No. 2420-1400 to Account No. 2420-1400 for $14,537.40 and Account No. 2420-9700 for $27,272.00.
The Commission VOTED: Approved and authorized Commissioner Balfour to execute the Amendment on behalf of the Commission.

3. Report of Messrs McGinn and Kane, November 3, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. WM86-004-C2A, for Expedient Remedial Repairs and Reconstruction Training Wall, Stearns Dam, Framingham.
Estimated Cost - $200,000.00.
Time for Performance - December 1995 to June 30, 1996.
Account No. 2420-7882.
The Commission VOTED: Approved.
The Commission further VOTED: authorization to advertise Project No. WM86-004-C2A, for Expedient Remedial Repairs and Reconstruction Training Wall, Stearns Dam, Framingham.

Action was taken upon the following matter relating to the Recreational Facilities and Programs Division:

4. Report of Mr. Doak, November 6, recommending that the concession at the Bryan Rink, West Roxbury be awarded to Parkway Youth Hockey for the 1995-1996 season, with a permit fee of $1.00 and a utility fee of $100.00 per month with partial months pro-rated.
The Commission VOTED: Approved as recommended by Mr. Doak in his report of November 6, 1995.

Action was taken upon the following matter relating to the Office of Real Property:

5. Report of Mr. Gray, November 6, requesting that the Commission authorize the expenditure of an additional $15,000.00 and a revised total expenditure of $105,000.00, for costs related to Contract No. RP96-0002 - Open Order Contract Title Examinations for Watershed Land Acquisition and Protection in FY96 and for all purposes consistent with Sections 6 and 12 of Chapter 36 of the Acts of 1992 (Cohen Bill) as amended.
The Commission VOTED: to authorize the expenditure of an

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additional $15,000.00 and a revised total expenditure of $105,000.00, for costs related to Contract No. RP96-0002 - Open Order Contract Title Examinations for Watershed Land Acquisition and Protection in FY96 and for all purposes consistent with Sections 6 and 12 of Chapter 36 of the Acts of 1992 (Cohen Bill) as amended.

Action was taken upon the following Various Matters:

1. Report of Miss Overton, October 30, on behalf of the Selection Committee requesting approval and execution of a Contract with Jenna L. Ide, for Subwatershed Program Coordination Services for the Neponset River Watershed Initiative Project.
Compensation - $22,050.00.
Time for Performance - twelve months.
Account No. 2449-8755.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Contract, dated November 9, 1995, with Jenna L. Ide, for Subwatershed Program Coordination Services for the Neponset River Watershed Initiative Project, which was signed by the Commissioner and three Associate Commissioners.
Associate Commissioner Elkort did not participate in discussion nor vote on this matter.

2. Report of Mr. Jewett, November 6, recommending approval and execution by Commissioner Balfour on behalf of the Commission, the following twelve (12) Contract-Agreements for Watershed Land Acquisition Program FY96 - Professional Real Estate Title Examination Services Wachusett, Ware River and Quabbin Watershed Areas, Worcester and Franklin Counties, Open Order Contract No. RP96-0002 -

mission voted
amended the
of 11.9.95
deleting the
of a
ract, in
amount of
900.00 for
cels of land
Bennett Title
ices, and
substituting
Tamagini &
Bloomenthal
the
at a
of $16,000.
ch increased
cost from
99,210.00 to
103,310.00

NAME	VALUE	PARCELS
Bennett Title Services, Inc.	$ 2,900.00	3
Brundrett & Moutinho	$17,275.00	15
Cohan & Associates	$ 9,200.00	10
Kelley, Donovan, Goodwin & Kelley, P.C.	$ 2,330.00	3
Law Offices of Peter E. Flynn, P.C.	$13,175.00	18
Marsh, Moriarty, Ontell & Dacey, P.C.	$ 3,450.00	5
Murphy & Guaetta, P.A.	$ 3,575.00	6
George S. Norton, Esquire	$15,605.00	17
Perlman, Rubin & Stein, P.C.	$ 4,100.00	6
Ritchie, Seewald & Collins, P.C.	$ 7,150.00	2
David L. Spector, Esq.	$ 4,400.00	6
Tamagini & Bloomenthal, P.C.	$16,050.00	13
Total Cost to Date -	$99,210.00	

Completion date for all Contracts is June 30, 1996.
Account No. 2421-9936.
The Commission V O T E D: Approved.
The Commission further V O T E D: Approval for Commissioner Balfour to execute the twelve (12) Contract-Agreements for Watershed Land Acquisition Program FY96, on behalf of the Commission.

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Adjourned at 9:50 a.m., to meet on Thursday, November 16, 1995, at 9:00 a.m.

William F.
Secretary

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Record of the Three Thousand Seven Hundred and Fifty Second (3752nd) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, November 16, 1995 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Settles and Wu.

The Records of the Commission Meeting held on November 2, 1995 were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and four Associate Commissioners:

1. Contract No. P93-1693-C2A, dated November 16, 1995, with A. Monti Granite Co., Inc., for Repair to Sally Port Entrance Granite, Fort Independence, Castle Island, South Boston.

2. Contract No. P95-1765-M1A, dated November 16, 1995, with ETA Associates, for Calibration of Carbon Monoxide Monitors for the Air Quality Monitoring System at Ice Skating Rinks.

Action was taken upon the following matters relating to the Engineering and Construction Division:

3. Report of Messrs. Faucher and Higgott, November 8, recommending approval of the request of G.V.W., Inc., General Contractor on Contract No. P95-1793-C1A, for Removing and Replacing Shade Shelters in South Boston, to engage the services of D & D Enterprises, as sub-contractor for preparation and installation of concrete pads at a cost of $6,000.00.
(At no increase in Contract cost).
The Commission V O T E D: Approved.

4. Report of Messrs. Faucher and Higgott, September 29, recommending approval of Extra Work Claim No. 1, in the amount of $3,956.77, for cutting down the tops of the concrete column footings to receive the concrete pads, on Contract No. P95-1793-C1A, with G.V.W., Inc., for Removing and Replacing Shade Shelters in South Boston.
Account No. 2440-8956.
The Commission V O T E D: to approve Extra Work Claim No. 1, in the amount of $3,956.77.

5. Report of Messrs. Faucher and Mayhew, October 31, recommending approval of the request of the Contractor for an extension of time from September 27, 1995 to November 11, 1995, on Contract No. P95-1805-C1B, with G.V.W., Inc., for Installation of New Dasherboards at the William F. Devine Skating Rink, Dorchester, due to the need to complete punch list work.
(At no increase in Contract cost).
The Commission V O T E D: to approve an extension of time from September 27, 1995 to November 11, 1995, as recommended by Messrs. Faucher and Mayhew in their report of October 31, 1995, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

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1. Report of Messrs. Faucher and Carrigan, October 31, recommending the following on Contract No. P94-1732-C1A, with Bardon Trimount, Inc., for Resurfacing of MDC Parkways at Various Locations Throughout the Metropolitan District -
(a) That work be accepted as completed as of July 31, 1995.
(b) That Estimate No. 10F (Final), in the amount of $68,914.24, be approved for payment.
(c) That reserve, in the amount of $3,627.07, be approved for payment.
(Basis of Award - $1,936,897.00)
(Amount to Date - $2,107,502.60)
(Contract Administration Rating - 3.30)
(EEO Compliance - 3.40)
The Commission VOTED: that the work of Bardon Trimount, Inc., Contractor under Contract No. P94-1732-C1A, be and hereby is accepted as completed as of July 31, 1995.
The Commission further VOTED: to approve Estimate No. 10F (Final), in the amount of $68,914.24, for payment.
The Commission further VOTED: to approve release of reserve, in the amount of $3,627.07, for payment.

2. Report of Messrs. Faucher and Mayhew, October 31, recommending ratification of the action of Acting Director Faucher resulting in Extra Work Order No. 1 - for increasing the length of players benches, work on the dasherboards, flooring and coaches walkways - at a cost of $5,239.49, on Contract No. P95-1805-C1B, with G.V.W., Inc., for Installation of New Dasherboards at the William F. Devine Skating Rink, Dorchester.
Account No. 2440-8952.
The Commission VOTED: to approve the action of Acting Director Faucher which resulted in Extra Work Order No. 1.
The Commission further VOTED: to approve Extra Work Order No. 1, in the amount of $5,239.49.

3. Report of Messrs Faucher and Mayhew, October 31, recommending ratification of the action of Acting Director Faucher resulting in Extra Work Order No. 2 for filling a void between the face of the dasherboards and the concrete sidewalk around the rink - at a cost of $7,130.43, on Contract No. P95-1805-C1B, with G.V.W., Inc., for Installation of Dasherboards at the William F. Devine Skating Rink, Dorchester.
Account No. 2440-8952.
The Commission VOTED: to approve the action of Acting Director Faucher which resulted in Extra Work Order No. 2.
The Commission further VOTED: to approve Extra Work Order No. 2, in the amount of $7,130.43.

4. Report of Messrs. Faucher and Soroka, October 17, recommending approval of Alteration No. 1, in the amount of a $135.00 credit to the Commission, for the substitution of pole clamps with bands, on Contract No. P95-1771-C1A, with Coviello Electric an General Contracting Co., Inc., for Installation of Mid-Block Pedestrian Signal, Day Boulevard, at the Carson Beach Bathhouse, South Boston.
The Commission VOTED: to approve Alteration No. 1, in the amount of a $135.00 credit to the Commission.

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1. Report of Messrs. Faucher and Jackson, November 9, requesting an extension of time from November 19, 1995 to December 29, 1995, on Contract No. P95-1770-C1A, with Fleming Brothers, Inc., for Reconstruction of Riverdale Park, Dedham and Toohig Playground, Dorchester, due to the need for additional work.
The Commission VOTED: to approve an extension of time from November 19, 1995 to December 29, 1995, as requested by Messrs. Faucher and Jackson in their report of November 9, 1995, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

2. Report of Messrs. Faucher and Machado, November 8, recommending approval of the request of Citiworks, Inc., Contractor on Contract No.P94-1734-C1A, for Installation of Closure Gates, Guard Rail and Fences at Various Locations in the Metropolitan District, for an extension of time from November 25, 1995 to June 30, 1996, due to difficulty experienced in obtaining materials. (At no additional contract cost).
The Commission VOTED: to approve an extension of time from November 25, 1995 to June 30, 1996, as recommended by Messrs. Faucher and Machado, in their report of November 8, 1995, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

Action was taken upon the following Various Matters:

3. Report of Mr. Jewett, November 13, recommending approval and requesting authorization for Commissioner Balfour to execute on behalf of the Commission the following fifteen (15) Contract-Agreements for Watershed Land Acquisition Program FY96 for Professional Real Estate Appraisal Services - Open Order Contract No. RP96-0001 -

NAME	**VALUE**	**PARCELS**
Winthrop Real Estate Advisors	$ 15,500.00	5
Reynolds Company	$ 23,050.00	8
Leo M. Flynn	$ 57,950.00	18
Peter S. Emerson & Associates	$ 61,800.00	20
R. M. Bradley & Company, Inc.	$ 23,910.00	8
The Foster Company	$ 2,600.00	1
Avery Associates	$ 5,700.00	2
Meredith & Grew, Inc.	$ 51,400.00	19
O'Connor Real Estate Assoc., Inc.	$ 29,300.00	10
Casey & Dennis	$ 6,050.00	3
Steven C. Byrnes Associates, Inc.	$ 24,650.00	15
G & M Valuation	$ 18,100.00	11
Ellen Harding Anderson	$ 25,800.00	14
David Hark Associates, Inc.	$ 2,500.00	1
John D. Heaphy Appraisal Associates	$ 3,250.00	2
Total -	$351,560.00	

Account No. 2421-9936.
The Commission VOTED: Approved.
Associate Commissioner Wu abstained from voting on this matter.
Associate Commissioner Elkort abstained from voting on the Ellen

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Harding Anderson Contract-Agreement.
The Commission further V O T E D: to authorize Commissioner Balfour to execute on behalf of the Commission the fifteen (15) Contract-Agreements for Watershed Land Acquisition Program FY96 for Professional Real Estate Appraisal Services - Open Order Contract No. RP96-0001, as recommended by Mr. Jewett in his report of November 13, 1995.
Associate Commissioner Wu abstained from voting on this matter.
Associate Commissioner Elkort abstained from voting on the Ellen Harding Anderson Contract-Agreement.

1. Report of Mr. Wright, November 13, requesting an Amendment to the Commission action of November 4, 1993, awarding a Comprehensive Building/Facilities Inventory and Assessment Contract to Joslin Lesser and Associates, Inc., by increasing the upset limit from $45,000.00 to $49,900.00.
(Account No. 2440-9843).
Mr. Wright further requests execution of the Contract by the Commission.
The Commission V O T E D: to approve an Amendment to the Commission action of November 4, 1993, awarding a Comprehensive Building/Facilities Inventory and Assessment Contract to Joslin Lesser and Associates, Inc., by increasing the upset limit from $45,000.00 to $49,900.00.
The Secretary then submitted for signature Contract, dated November 16, 1995, with Joslin Lesser and Associates, Inc., which was signed by the Commissioner and four Associate Commissioners.

2. Report of Mr. Jewett, November 13, on behalf of the Consultant Selection Committee, recommending selection of Comprehensive Environmental, Inc., for Contract No. WM95-053-S1A, for Hazardous Materials Emergency Response Plan.
Estimated Cost - $50,000.00 - subject to negotiations.
Time for Performance - six months.
Account No. 2420-1400.
The Commission V O T E D: Approved.

3. Report of Mr. Jewett, November 13, on behalf of the Consultant Selection Committee, recommending selection of Comprehensive Environmental, Inc., for Contract No. WM95-055-S1A, for Agricultural Best Management Practices Evaluation.
Estimated Cost - $45,000.00 - subject to negotiations.
Time for Performance - twelve months.
Account No. 2420-1400.
The Commission V O T E D: Approved.

4. Report of Mr. Jewett, November 13, on behalf of the Consultant Selection Committee, recommending selection of Fugro East, Inc., for Contract No. WM95-056-S1A, for Bio-Engineered Erosion Controls Implementation.
Estimated Cost - $15,000.00 - subject to negotiations.
Time for Performance - twelve months.
Account No. 2420-1400.
The Commission V O T E D: Approved.

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1. Report of Mr. Jewett, November 13, on behalf of the Consultant Selection Committee, recommending selection of Rizzo Associates, Inc., for Contract No. WM95-054-S1A, for Transportation Release Controls.
Estimated Cost - $150,000.00 - subject to negotiations.
Time for Performance - twenty four months.
Account No. 2420-1400.
The Commission VOTED: Approved.

Action was taken upon the following matter relating to the Recreational Facilities and Programs Division:

2. Report of Concession Selection Committee, November 15, 1995, recommending award of the concession at the William T. Shea Skating Rink, for the 1995-1996 skating season to M.G.L. Service with compensation to the MDC at $1,700.00 for the season payable in advance - plus a flat fee of $100.00 per month for utilities.
The Commission VOTED: to award of the concession at the William T. Shea Skating Rink, for the 1995-1996 skating season to M.G.L. Service with compensation to the MDC at $1,700.00 for the season payable in advance - plus a flat fee of $100.00 per month for utilities, as recommended by the Concession Selection Committee in their report of November 15, 1995.

Action was taken upon the following matters relating to the Office of Real Property:

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1. Report of Mr. Gray, November 13, recommending that the Commission adopt an Order of Taking for acquisition of approximately 12.01 acres of land owned by Katherine P. Hart, Trustee of the Katherine P. Hart Trust, located in the Town of West Boylston, Massachusetts, and to approve an award of damages in the amount of $42,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936.
The Commission VOTED: to adopt an Order of Taking for acquisition of approximately 12.01 acres of land owned by Katherine P. Hart, Trustee of the Katherine P. Hart Trust, located in the Town of West Boylston, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, November 16, 1995.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of West Boylston in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying off of the northerly side of Laurel Street, and off of the northwesterly side of Raymond Huntington Highway-Interstate 190, between 300 and 400 feet easterly of the Holden - West Boylston Corporate Line, more particularly bounded and described as follows:

Beginning at the easternmost point of the parcel being described at a concrete bound with drill hole found at a corner of land, now or formerly, of Gary M. Erickson and Dianne E. Erickson, and at land, now or formerly, of Daniel N. Mercurio, said point lying N. 66° 11′ 41" W., 200.68 feet from a concrete bound with drill hole found on the northwesterly line of Raymond Huntington Highway;

Thence S. 49° 31′ 04" W., 339.82 feet, to a concrete bound with drill hole found;

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Thence S. 49° 31′ 04" W., 522.99 feet, to a drill hole found in a corner of stone walls, at the southwesterly corner of the property being described, at land, now or formerly, of Katherine Kristoff, and land, now or formerly, of Charles R. & Leslie D. Hicks, the last two courses being by land, now or formerly, of G.M. & D.E. Erickson;

Thence N. 15° 53′ 37" W., 522.74 feet, to a concrete bound set, in a pile of stones found at land, now or formerly, of Wachusett Development Corporation, this course being by land, now or formerly, of the aforesaid C.R. & L.D. Hicks;

Thence S. 63° 39′ 01" E., 31.23 feet to an iron rod set in a heap of stones found;

Thence N. 15° 15′ 34" W., 337.56 feet to an iron rod set at the end of a stone wall segment;

Thence N. 35° 03′ 52" W., 62.08 feet to a drill hole set at a point within the wall;

Thence N. 30° 35′ 22" W., 44.43 feet to an iron rod set at a point within the wall, at land, now or formerly, of Preston W. and Rosemary C. Hall, the last four courses being by land, now or formerly, of the Wachusett Development Corporation;

Thence On the same bearing, running with and past the end of the wall, a distance of 89.68 feet to an iron rod set;

Thence N. 09° 26′ 20" E., running through several stone wall segments, 241.58 feet to a drill hole set in a stone wall forming the southwesterly line of land, now or formerly, of Chester E. Petertson, the last two courses being by land, now or formerly, of P.W. & R.C. Hall;

Thence S. 63° 08′ 06" E., by the wall, 164.12 feet to a drill hole set at a corner of land, now or formerly, of David P. and John D. Mercurio;

Thence S. 53° 04′ 24" E., 704.60 feet by land, now or formerly, of D.P.& J.D. Mercurio, to an iron rod set at the point of intersection with the northwesterly corner of other land, now or formerly, of Mercurio;

Thence On the same bearing, and by the second lot, now or formerly, of Mercurio, a distance of 268.81 feet to the first mentioned concrete bound with drill hole found, being the point and place of beginning.

Containing 523,295 square feet, or 12.01 acres as shown upon a plan entitled "Commonwealth of Massachusetts, Metropolitan District Commission, Division of Watershed Management, West Boylston (Worcester County) MA., Land Taking Plan For Watershed Protection", dated June 30, 1995, and prepared by Greenman-Pedersen, Inc., which plan shall be recorded with Worcester District Registry of Deeds, at a later date, and made a part of this order.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and being the same premises described as the second lot in a deed from Katherine P. Hart to Katherine P. Hart, Trustee of Katherine P. Hart Trust, dated May 18, 1992 and recorded with Worcester District Registry of Deeds at Book 14314, Page 255.

The above described property is represented upon West Boylston Assessors Tax Map 120 as Lot 12.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Katherine P. Hart, Trustee Katherine P. Hart Trust	$ 42,000.00

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The Commission further VOTED: to approve an award of damages in the amount of $42,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, November 13, requesting authorization of a Contract-Agreement for Consulting Legal Services to Assist the Real Property Office for FY 1996 Watershed Land Acquisition Program. Contract Cost - not-to-exceed $15,600.00.
Time for Performance - six months at 37.50 hours per week.
Account No. 2420-1400.
The Commission VOTED: Approved.

Adjourned at 9:55 a.m., to meet on Thursday, November 30, 1995, at 9:00 a.m.

William F.
Secretary

Record of the Three Thousand Seven Hundred and Fifty Third (3753rd) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, November 30, 1995 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Settles and Wu.

The Records of the Commission Meeting held on November 9, 1995 were read and approved.

The Secretary submitted for signature the following paper which was signed by the Commissioner and four Associate Commissioners:

1. Amendment, dated November 30, 1995, to Contract-Agreement No. WM87-013-D1A, with GZA GeoEnvironmental, Inc., for Design Services, Wachusett Dam, Spillway and Channel.

Action was taken upon the following matters relating to the Engineering and Construction Division:

2. Report of Messrs. Faucher and Mayhew, November 13, recommending ratification of the action of Acting Director Faucher resulting in Extra Work Order No. 1 - for temporary repairs to rink roof at a cost of $7,800.00 and $525.00 to furnish and install a new exhaust fan, motor and hood, on Contract No. P96-1820-C1A, with Tar-Vel Roofing Co., for Installation of New Membrane Roofing at the Francis L. Murphy Skating Rink, South Boston.
Account No. 2440-0100.
The Commission V O T E D: to ratify the action of Acting Director Faucher which resulted in Extra Work Order No. 1.
The Commission further V O T E D: to approve Extra Work Order No. 1, at a cost of $7,800.00 and $525.00 to furnish and install a new exhaust fan, motor and hood, on Contract No. P96-1820-C1A, with Tar-Vel Roofing Co., for Installation of New Membrane Roofing at the Francis L. Murphy Skating Rink, South Boston.

3. Report of Messrs. Faucher, Brooks and Martinez, November 9, recommending approval of a revision in quantities on the following items on Contract No. P95-1809-C1A, with Ace Construction Enterprise, for Water Service Line Replacement at Bajko Rink, Hyde Park -

Item No. 001-010 Excavation, Pipe Laying and Crack Filling	$ 650.00
Item No. 001-050 Excavation of Pavement	$ 148.00
Item No. 002-010 Concrete Core Drilling	$ 300.00
Item No. 002-020 Bituminous Paving	$1,110.00
Item No. 004-010 Re-Seeding and Planting	$1,090.00
Total -	$3,298.00

(The revisions will be partly offset by unused quantities in Item Nos. 001-020 - Bedding Sand, 001-030 - Gravel Base, 001-040 - Common Fill, 003-010 - D.I. Pipe, 003-060 - 2" Copper Pipe and 003-070 - Pipe Insulation, Total = $1,054.00, and the remaining $2,244.00 increase in cost of the Contract will be funded through

Account No. 2444-8812).
The Commission V O T E D: Approved as recommended by Messrs. Faucher and Brooks in their report of November 9, 1995.

1. Report of Messrs. Faucher and Jackson, November 20, recommending ratification of the action of Landscape Architect Jackson, resulting in Extra Work Order No. 2 - which includes preparation of new and existing planting beds and installation of annual and perennial flowers - at a cost of $8,439.45, on Contract No. P95-1794-C1A, with Foye & Letendre Landscaping, Inc., for Landscape Enhancements to MDC Properties.
(At no increase in cost as the funding is available in unexpended funds under Traffic Service Allowance of the Contract).
The Commission V O T E D: to ratify the action of Landscape Architect Jackson which resulted in Extra Work Order No. 2.
The Commission further V O T E D: to approve Extra Work Order No. 2 - which includes preparation of new and existing planting beds and installation of annual and perennial flowers - at a cost of $8,439.45, on Contract No. P95-1794-C1A, with Foye & Letendre Landscaping, Inc., for Landscape Enhancements to MDC Properties.

2. Report of Messrs. Faucher and Machado, November 22, recommending approval of a revision in quantities on Contract No. P95-1801-C1A, with T. L. Edwards, Inc., for Resurfacing of MDC Parkways at Various Locations throughout the Metropolitan District, as follows -

Item No. 001-010	- Unclassified Excavation	$ 8,125.00
Item No. 003-010	- Gravel Borrow	$ 5,250.00
Item No. 008-010	- Bituminous Concrete for Driveways and Patching	$72,000.00
	Total -	$85,375.00

Funding from Account No. 2440-8952.
The Commission V O T E D: Approved as recommended by Messrs. Faucher and Machado in their report of November 22, 1995.

3. Report of Miss Overton and Mr. Faucher, November 20, requesting that the Commission authorize the expenditure of an additional $450,000.00 and a revised total expenditure of $600,000.00, for cost related to Contract No. P95-1768-D1A, for Licensed Site Professional Services for MDC Contaminated Facilities as part of the Governor's Statewide Clean State Program.
Miss Overton and Mr. Faucher further request that the project, as approved at the Commission Meeting of December 22, 1994, be divided into four $150,000.00 vendor specific contracts.
Account No. 2441-9952.
The Commission V O T E D: to authorize the expenditure of an additional $450,000.00 and a revised total expenditure of $600,000.00, for cost related to Contract No. P95-1768-D1A, for Licensed Site Professional Services for MDC Contaminated Facilities as part of the Governor's Statewide Clean State Program.
The Commission further V O T E D: to approve the request of Miss Overton and Mr. Faucher that the project, as approved at the Commission Meeting of December 22, 1994, be divided into four $150,000.00 vendor specific contracts.

1. Report of Messrs. Faucher and Abounaja, November 27, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to procure proposals for Project No. P96-1835-D1A, for Unquity Dump Landfill Capping, Blue Hills Reservation, Milton.
Estimated cost for Engineering and Construction Administration Services - $50,000.00.
Time for Performance - 3 months for design - 13 months for construction.
Account No. 2440-7849.
The Commission VOTED: Approved.
The Commission further VOTED: authorization to procure proposals for Project No. P96-1835-D1A, for Unquity Dump Landfill Capping, Blue Hills Reservation, Milton.

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2. Report of Messrs. Faucher and Abounaja, November 14, recommending approval of Extra Work Order No. 1 - for preparing an Immediate Response Action Status Report on the Ground Water Collection and Treatment System - at a cost of $2,325.00, on Contract No. P94-1744-C1A, with Green Environmental, for Oil and Ground Water Collection and Treatment System, Breakheart Reservation.
Account No. 2490-8915.
The Commission VOTED: to approve Extra Work Order No. 1, in the amount of $2,325.00.

Action was taken upon the following matters relating to the Watershed Management Division:

3. Report of Messrs. McGinn and Robert O'Connor, November 17, recommending approval of the nomination of Poutwater Pond, adjacent wetlands and uplands in Holden and Princeton, as a Nature Preserve, under M.G.L., Chapter 131, Section 10 A-D.
The Commission VOTED: to approve the nomination of Poutwater Pond, adjacent wetlands and uplands in Holden and Princeton, as a Nature Preserve, under M.G.L., Chapter 131, Section 10 A-D, as recommended by Messrs. McGinn and O'Connor in their report of November 17, 1995.

4. Report of Mr. McGinn, November 27, recommending approval and execution of Amendment No. 1, in the amount of $63,743.00, for a detailed hydraulic capacity analysis with the MDC's Rutland-Holden Interceptor System and the Worcester Sewer System and the performance of a required archaeological/historical survey, on Contract No. WM95-061-D1A, with Weston and Sampson Engineers, Inc., for the Fast Track Sewer Design.
Account No. 2420-1400.
The Commission VOTED: Approved.
The Secretary then submitted for signature Amendment No. 1, dated November 30, 1995, on Contract No. WM95-061-D1A, with Weston and Sampson Engineers, Inc., which was signed by the Commissioner and four Associate Commissioners.

Action was taken upon the following matter relating to the Recreational Facilities and Programs Division:

1. Report of Mr. Doak, November 20, submitting for approval and execution Permit-Agreement with Charles River Recreation, Inc., for the purpose of providing Cross Country Skiing at the Leo J. Martin Golf Course, Weston, for the period from December 1, 1995 through March 10, 1996.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Permit-Agreement, dated November 30, 1995, with Charles River Recreation, Inc., which was signed by the Commissioner and four Associate Commissioners.

Action was taken upon the following matter relating to the Office of Planning:

2. Report of Mrs. O'Brien and Mr. Driscoll, November 21, requesting approval and execution of an Amendment, for an extension of time from December 31, 1995 to March 31, 1996, on Contract No. PL-92-017-S1B, with Carol R. Johnson Associates, Inc., for Upper Charles River Restoration Master Planning and Design Services. (At no additional cost to the Commission).
The Commission V O T E D: Approved.
The Secretary then submitted for signature Amendment, dated November 30, 1995, which was signed by the Commissioner and four Associate Commissioners.

Action was taken upon the following Various Matters:

3. Report of Mr. Jewett, November 15, on behalf of the Consultant Selection Committee, recommending selection of Simpson Gumpertz & Heger, Inc., for Contract No. P93-1672-D1A, for Professional Engineering Services for Bridges, Parkways and Other Commission Facilities.
Estimated Cost - $250,000.00, subject to negotiations.
Time for Performance - thirty six months.
Account No. 2490-0012.
The Commission V O T E D: Approved.
Associate Commissioner Wu did not participate in discussion nor vote on this matter.

4. Report of the Concession Selection Committee, November 28, recommending award of the concession at the Monsignor William J. Daly Rink, Nonantum Road, Newton-Brighton, for the 1995-1996 skating season to North End Youth Hockey, with compensation to the MDC at $1.00 for the season - plus a flat fee of $100.00 per month for utilities.
The Commission V O T E D: to award the concession at the Monsignor William J. Daly Rink, Nonantum Road, Newton-Brighton, for the 1995-1996 skating season to North End Youth Hockey, with compensation to the MDC at $1.00 for the season - plus a flat fee of $100.00 per month for utilities, as recommended by the Concession Selection Committee in their report of November 28, 1995.

5. Report of Miss Overton, November 29, requesting approval and authorization for Commissioner Balfour to execute, on behalf of

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the Commission, a Memorandum of Agreement with the Massachusetts Audubon Society for the development and operation of a pilot organic waste recycling/composting and an environmental education center at the unpaved section of the MDC's Morton Street Parking Lot, Mattapan.
(At no cost to the Commission).
The Commission VOTED: Approved.
The Commission further VOTED: authorization for Commissioner Balfour to execute, on behalf of the Commission, the Memorandum of Agreement with the Massachusetts Audubon Society.

Adjourned at 10:15 a.m., to meet on Thursday, December 7, 1995, at 9:00 a.m.

William F. [illegible]
Secretary

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Record of the Three Thousand Seven Hundred and Fifty Fourth (3754th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, Decemeber 7, 1995 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort and Wu.

The Records of the Commission Meeting held on November 16, 1995 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher and Mayhew, November 30, recommending approval of Alteration No. 1, in the amount of a $2,700.00 credit to the Commission, on Contract No. P95-1812-C1A, with Tar-Vel Roofing Company, for Installation of New Roofing Systems at the Shea Rink, Quincy, Bryan Rink, West Roxbury and the Reilly Rink, Brighton.
(When the existing wood purlins were exposed and inspected, they were found suitable and did not need replacement).
The Commission VOTED: to approve Alteration No. 1, a credit to the Commission, in the amount of $2,700.00.

2. Report of Messrs. Faucher and Mayhew, November 30, recommending approval of Alteration No. 1, in the amount of a $1,500.00 credit to the Commission, on Contract No. P96-1820-C1A, with Tar-Vel Roofing Company, for Installation of New Membrane Roofing at the Francis L. Murphy Ice Skating Rink, South Boston.
(After exposing and inspecting the existing pre-cast concrete planks it was found that they did not need replacement).
The Commission VOTED: to approve Alteration No. 1, a credit to the Commission, in the amount of a $1,500.00.

3. Report of Messrs. Faucher, Brooks and Coppola, December 1, requesting the following on Contract No. P96-1816-C1A, with P. H. Mechanical Corp., for Installation of Heating and Dehumidification System, Connell Pool, Weymouth -
(a) An extension of time from December 10, 1995 to March 1, 1996.
(b) Ratification of the action of Acting Director Faucher resulting in Extra Work Order No. 1 - for installation of a temporary heating system and removal, at a later date, at a cost not-to-exceed $6,800.00.
Account No. 2440-8952.
The Commission VOTED: to approve an extension of time from December 10, 1995 to March 1, 1996, as requested by Messrs. Faucher, Brooks and Coppola in their report of December 1, 1995, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.
The Commission further VOTED: to ratify the action of Acting Director Faucher, which resulted in Extra Work Order No. 1 - for installation of a temporary heating system and removal, at a later date.

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The Commission further V O T E D: to approve Extra Work Order No. 1, at a cost not-to-exceed $6,800.00.

1. Report of Miss Overton and Messrs. Faucher and Orfant, November 29, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to seek proposals for Contract No. P96-1839-D1A, for Boston Harbor Beaches: George's Island Picnic Pavilion.
Design and Engineering Services Cost - not-to-exceed $5,000.00.
Time for Design Performance - four months.
Account No. 2440-8956.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to seek proposals for Contract No. P96-1839-D1A, for Boston Harbor Beaches: George's Island Picnic Pavilion.

2. Report of Mr. Faucher and Mrs. Graves-Jones, November 29, submitting for approval Work Schedule, Project Justification, Project Summary and requesting authorization to advertise for bids - Project No. P96-1836-M1A, for Servicing Traffic Signal and Control Systems, Old Colony and Blue Hills Districts -
Estimated Cost - $400,000.00 (Funding for Fiscal Years other than FY96 contingent upon annual budgetary appropriation)
Time for Performance - twenty four months.
Account No. 2444-9001.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise for bids - Project No. P96-1836-M1A, for Servicing Traffic Signal and Control Systems, Old Colony and Blue Hills Districts.

3. Report of Mr. Faucher and Ms. Pomorska, November 30, submitting for approval Work Schedule, Project Justification, Project Summary and requesting authorization to advertise for bids - Project No. P96-1837-M1A, for Servicing Traffic Signal and Control Systems, Middlesex Fells and Revere Beach Districts -
Estimated Cost - $380,000.00. (Funding for Fiscal Years other than FY96 contingent upon annual budgetary appropriation).
Time for Performance - twenty four months.
Account No. 2444-9001.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise for bids - Project No. P96-1837-M1A, for Servicing Traffic Signal and Control Systems, Middlesex Fells and Revere Beach Districts.

4. Report of Messrs. Faucher and Soroka, December 1, submitting for approval Work Schedule, Project Justification, Project Summary and requesting authorization to advertise for bids - Project No. P96-1838-M1A, for Servicing Traffic Signal and Control Systems, Charles River Basin Districts -
Estimated Cost - $432,000.00 - (Funding for Fiscal Years other than FY96 contingent upon annual budgetary appropriation).
Time for Performance - twenty four months.

Account No. 2444-9001.
The Commission VOTED: Approved.
The Commission further VOTED: authorization to advertise for bids - Project No. P96-1838-M1A, for Servicing Traffic Signal and Control Systems, Charles River Basin Districts.

1. Report of Messrs. Faucher and Sacco, December 1, submitting for approval Extra Work Order No. 1 - for the installation of a temporary bypass system for Stacey Brook Culvert and a temporary relocation of the 24" Swampscott Force Main - at a cost of $200,000.00, on Contract No. P85-1341-C1A, with John J. Paonessa Co., Inc., for Rehabilitation/Reconstruction of Lynn Shore Drive, Lynn/Swampscott.
Account No. 2490-8910.
Associate Commissioner Carr noted that he was briefed on the project and informed that the new temporary by-pass system will have the same capacity as the old culvert which is being replaced.
The Commission VOTED: to approve Extra Work Order No. 1, in the amount of $200,000.00.

2. Report of Messrs. Faucher and Sacco, December 4, recommending approval of the request of Brewster Electric Co., Inc., Contractor on Contract No. P94-1741-M1A, for Maintenance of Mechanical/Electrical Systems of the General Edwards Bridge, Revere/Lynn, for an extension of time from June 30, 1996 to March 5, 1997, due to administrative problems.
(At no increase in Contract cost).
The Commission VOTED: to approve an extension of time from June 30, 1996 to March 5, 1997, as recommended by Messrs. Faucher and Sacco in their report of December 4, 1995, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

Action was taken upon the following matters relating to the Watershed Management Division:

3. Report of Messrs. McGinn and Kane, November 27, requesting approval and execution of Contract No. WM96-048-D1A, with Lindgren Associates, P. C., Consulting Engineers, to Design Improvements to the Electrical System, at the Division of Watershed Management Field Administration Complex, West Boylston.
Time for Performance - December 11, 1995 to April 1, 1996.
Cost - not-to-exceed $4,950.00.
Account No. 2420-1400.
The Commission VOTED: Approved.
The Secretary then submitted for signature Contract No. WM96-048-D1A, dated December 7, 1995, with Lindgren Associates, P. C., Consulting Engineers, which was signed by the Commissioner and three Associate Commissioners.

4. Report of Messrs. McGinn and Vignally, November 28, recommending the following on Contract No. WM95-057-S1A, with U.S. Department of the Interior, Geological Survey, for Gauging of Streams and Groundwater -

(a) That work be accepted as completed as of September 30, 1995.
(b) That Invoice No. 6 - 4425-0145 (Final), in the amount of $17,597.00, be approved for payment.
(Basis of Award - $70,388.00)
(Total to Date - $70,388.00)
(Contract Performance Rating - 8.00 with 10.00 being excellent)
(EEO Compliance - N/A)

The Commission V O T E D: that the work of the U.S. Department of the Interior, Geological Survey, Contractor under Contract No. WM95-057-S1A, be and hereby is accepted as completed as of September 30, 1995.

The Commission further V O T E D: to approve Invoice No. 6 - 4425-0145 (Final), in the amount of $17,597.00, for payment.

1. Report of Messrs. McGinn and Penner, December 1, submitting for approval Project Summary, Work Schedule, Project Justification and requesting authorization to enter into an Interagency Service Agreement (ISA), with the Earth Science Information Office in the Office for Geographic Information and Analysis at the University of Massachusetts, at Amherst, for Contract No. WM96-097-X1A, for production of Color Infrared Photo Set and further, to authorize Commissioner Balfour, to execute the ISA on behalf of the Commission.
Estimated Cost - $11,478.00.
Estimated Time for Performance - six months.
Account No. 2420-1400.

The Commission V O T E D: authorization to enter into an Interagency Service Agreement (ISA), with the Earth Science Information Office in the Office for Geographic Information and Analysis at the University of Massachusetts, at Amherst, for Contract No. WM96-097-X1A, for production of Color Infrared Photo Set.

The Commission further V O T E D: to authorize Commissioner Balfour, to execute the ISA on behalf of the Commission.

2. Report of Mr. McGinn and Ms. Carr, December 1, requesting approval of an Amendment to Contract No. WM95-082-S1A, with Nashua River Watershed Association for Wachusett Task Force Technical Assistance, which calls for a change in personnel at the Nashua River Watershed Association.
(At no increase in Contract cost).

The Commission V O T E D: Approved.

Action was taken upon the following matters relating to the Office of Planning:

3. Report of Mrs. O'Brien, November 20, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise - for consultant services - for Project No. PL-95-036-D1A, for Leverett Circle/Storrow Drive Landscaping and Pedestrian Bridge.
Estimated Cost for Design - $500,000.00.
Time for Performance - to be coordinated with CA/T roadway design.
Account No. 2449-1003.

The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise - for consultant services for Project No. PL-95-036-D1A, for Leverett Circle/Storrow Drive Landscaping and Pedestrian Bridge.

1. Report of Mrs. O'Brien, November 20, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise - for consultant services - for Project No. PL-95-037-D1A, for New Charles Basin/Lovejoy Wharf.
Estimated Cost for Design - $500,000.00.
Time for Performance - eight months.
Account No. 2449-1001.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise - for consultant services - for Project No. PL-95-037-D1A, for New Charles Basin/Lovejoy Wharf.

Action was taken upon the following Various Matters:

2. Report of Miss Adams, December 1, on behalf of the Green Ribbon Commission, requesting authorization to solicit bids for Graphic Design and Printing Services for the Green Ribbon Commission Report.
Time for Performance - one month.
Estimated Cost for the two contracts is $33,000.00.
Account No. 2410-7872.
The Commission V O T E D: authorization to solicit bids for Graphic Design and Printing Services for the Green Ribbon Commission Report.

3. Report of Mr. Jewett, December 1, submitting for approval and execution Amendment to Agreement with the Massachusetts Audubon Society (MAS), for the Operation and Maintenance of the Blue Hills Trailside Museum, etc., which increases the amount payable to MAS for FY96 by $50,000.00 - for a new total of $350,000.00.
Account No. 2444-9004.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Amendment, dated December 7, 1995, to Agreement with the Massachusetts Audubon Society, which was signed by the Commissioner and three Associate Commissioners.

4. Report of Mr. Jewett, December 6, requesting approval and authorization for Commissioner Balfour to execute on behalf of the Commission, Amendments to four (4) of the fifteen (15) Professional Real Estate Appraisal Services - Open Order Contracts - RP96-0001, for Watershed Land Acquisition Program FY96 - as approved by the Commission at its meeting of November 16, 1995 - The proposed Amendments follow -

NAME	**VALUE**	**PARCELS**
Leo M. Flynn	Increase from $57,950.00 to $63,350.00.	Increase from 18 to 20

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NAME	VALUE	PARCELS
Meredith & Grew, Inc.	Decrease from $51,400.00 to $49,100.00.	Decrease from 19 to 18
O'Connor Real Estate Assoc., Inc.	Increase from $29,300.00 to $32,100.00.	Increase from 10 to 11
Steven C. Byrnes Associates, Inc.	Increase from $24,650.00 to $25,250.00.	15

Account No. 2421-9936.
The Commission VOTED: Approved.
The Commission further VOTED: authorization for Commissioner Balfour to execute on behalf of the Commission, Amendments to four (4) of the fifteen (15) Professional Real Estate Appraisal Services - Open Order Contracts - RP96-0001, with Leo M. Flynn, Meredith & Grew, Inc., O'Connor Real Estate Assoc., Inc. and Steven C. Byrnes Associates, Inc., for Watershed Land Acquisition Program FY96, as requested by Mr. Jewett in his report of December 6, 1995.
Associate Commissioner Wu abstained from voting on this matter.

Action was taken upon the following matters relating to the Office of Real Property:

1. Report of Mr. Gray, December 1, recommending that the Commission adopt an Order of Taking for acquisition of approximately 0.918 acres of land owned by Robert V. Johnson, et ux, located in the Town of Holden, Massachusetts, and to approve an award of damages in the amount of $50,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.
   The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 0.918 acres of land owned by Robert V. Johnson, et ux, located in the Town of Holden, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, December 7, 1995.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Holden in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying on the southeasterly side of Wachusett Street, opposite its intersection with Quinapoxet Street, more particularly bounded and described as follows:

Beginning at a point on the southeasterly line of Wachusett Street at the northwesterly corner of the parcel described herein, said point lying at the northeasterly corner of land now or formerly of Michael E. & Susan J. Deddo, as shown upon a plan recorded with Worcester District Registry of Deeds as Plan 115 in Plan Book 588, said point is further defined as lying S. 83° 07′ 53" W., 57.11 feet from a stone bound with drill hole found on the westerly corner of the above referenced intersection, as shown upon the plan referenced at the conclusion of this description;

Thence Northeasterly by the southeasterly line of Wachusett Street and a curve with a radius of 750 feet, an arc distance of 110.48 feet, to a point;

Thence N. 35° 45′ 17" E., by the highway, 34.61 feet to a point at the northeasterly corner of the parcel being described, at other land now or formerly of Robert & Jean Johnson;

Thence S. 55° 45′ 28" E., 150.00 feet to a point;

Thence S. 64° 54′ 19" E., 380.75 feet to a point at the southeasterly corner of the parcel;

Thence S. 47° 55′ 35" W., 26.32 feet to a point at land now or formerly of the aforesaid DeLiddo, the last three courses being by other land now or formerly of Johnson;

Thence N. 74° 59′ 30" W., by land, now or formerly, of DeLiddo, 545.84 feet to the first mentioned point on the southeasterly line of Wachusett Street, being the point and place of beginning.

Containing 40,000 square feet, or 0.918 acres, as shown upon a plan entitled "PLAN OF LAND IN HOLDEN, MASS. PREPARED FOR Robert & Jean Johnson", dated March 1991, and prepared by Andrysick Land Surveying, Inc, copies of which are in the possession of Robert & Jean Johnson, and are on file with the MDC Real Property Office at MDC Headquarters 20 Somerset Street, Boston MA. 02108.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Wachusett Street which may be held by the supposed owners, and being a portion of the same premises described in two deeds from Ralph L. Johnson et als and from Edwin H. Johnson, Jr. et als, as heirs of Elvira M. Johnson (Worcester County Probate Court No. 243705) to Robert V. Johnson and Jean C. Johnson, dated July 1, 1976 and recorded with Worcester District Registry of Deeds in Book 6004, Pages 369 and 371.

The above described property is represented upon Holden Assessors Tax Map 77 as Parcel 58.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
Robert V. Johnson Jean C. Johnson	$ 50,000.00

The Commission further VOTED: to approve an award of damages in the amount of $50,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, December 1, recommending that the Commission adopt an Order of Taking for acquisition of approximately 59 acres of land owned by Richard A. Caouete, et ux, located in the Town of Petersham, Massachusetts and to approve an award of damages in the amount of $215,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.
The Commission VOTED: to adopt an Order of Taking for acquisition of approximately 59 acres of land owned by Richard A. Caouete, et ux, located in the Town of Petersham, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, December 7, 1995.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Section 117 of Chapter 92 of the General Laws, and Sections 30, 31 and 32 of Chapter 184 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take under the provisions of Chapter 79 of the General Laws, a watershed preservation restriction and conservation easement in perpetuity in the name and for the benefit of the Commonwealth of Massachusetts, in the following described land situated in the Town of Petersham in the County of Worcester and Commonwealth of Massachusetts, namely:

Two (2) certain parcels of land lying on the southerly side of West Street in said Petersham, described as Tract 1 and Tract 2 in a deed from Clarence W. Russell, et ux, to Richard A. Caouette, et ux, dated October 25, 1978, and recorded with the Worcester District Registry of Deeds in Book 6599, Page 385, reference to which deed may be made for a more particular description.

Containing 59 acres, more or less.

The aforementioned parcels are supposed to be owned by the following owners:

OWNERS	RESTRICTION AREA TAKEN
Richard A. Caouette and Doris O. Caouette	59 Acres

Meaning and intending to take hereby a watershed preservation restriction and conservation easement in, on and to the above premises, howsoever the same may be bounded and described.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all such rights, including easements, privileges and appurtenances of every name and nature as may be necessary to give full force, virtue and effect, in perpetuity, to the following restrictions on the use of the parcel of land hereinabove described.

1. No construction or placing of buildings or structures or parts thereof, or roads, ways, paths or portions thereof, shall be permitted on said premises; provided, however, that the repair, replacement and renovation of existing buildings and structures on the premises is expressly permitted.

2. No construction or placing of utilities or utility delivery systems or portions thereof, shall be permitted, except as necessary for the buildings and structures remaining on said premises.

3. No septic systems or leach fields shall be permitted.

4. No excavation, dredging or removal of loam, peat, gravel, soil, rock or other mineral substance shall be permitted, except as needed to maintain the land.

5. No storage, stockpiling, or use of hazardous materials, petroleum products, pesticides and herbicides, manure and fertilizers, shall be permitted.

6. No tillage.

7. No grazing or sheltering of livestock or animals shall be permitted; excepting, however, the sheltering of chickens shall be permitted, but within the confines of the existing barn area.

8. No commercial or public recreational use shall be permitted, and no motorized or vehicular recreational use by the landowners shall be permitted.

9. No commercial timber harvesting shall be permitted, unless such harvesting is in compliance with the Massachusetts Forest Cutting Practices Act (M.G.L. c. 132, as amended), and MDC Best Management Practices for Forest Management.

10. No other acts or uses detrimental to such watershed, as determined by the duly authorized representatives of said Commission, its successors or assigns or such other authority which shall for any time legally control or hold said restriction and easement.

The watershed preservation restriction and conservation easement hereby taken, grants the Commission, its successors and assigns, the right to enter upon the land hereinabove described at any time for the purpose of inspecting said land and enforcing the foregoing restrictions and remedying any violations of same, but does not grant the public any such rights. This right shall be in addition to any other remedies available to the Commission, its successors, assigns or other authority, for the enforcement of the foregoing restrictions and the remedying of any violations of same.

All other customary rights and privileges of ownership shall be retained by the owners, including the right to privacy.

The Commission awards damages sustained by the owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
Richard A. Caouette and Doris O. Caouette	$ 215,000.00

The Commission further VOTED: to approve an award of damages in the amount of $215,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

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1. Report of Mr. Gray, December 1, recommending that the Commission adopt an Order of Taking for acquisition of approximately 54.197 acres of land owned by Henry L. Cramer, et als, located in the Town of New Salem, Massachusetts, and to approve an award of damages in the amount of $294,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 54.197 acres of land owned by Henry L. Cramer, et als, located in the Town of New Salem, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, December 7, 1995.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Section 117 of Chapter 92 of the General Laws, and Sections 30, 31 and 32 of Chapter 184 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take under the provisions of Chapter 79 of the General Laws, a watershed preservation restriction and conservation easement in perpetuity in the name and for the benefit of the Commonwealth of Massachusetts, in the following described land situated in the Town of New Salem in the County of Franklin and Commonwealth of Massachusetts, namely:

Three certain parcels of land, two of which lying northerly Shutesbury Road, and the other southerly of it, the larger northerly parcel being bounded on its westerly side by Whitaker Road, and the southerly parcel being bounded on its easterly side by North Prescott Road, more particularly bounded and described as follows:

Parcel 1

Beginning at a concrete bound set, at a point within a stone wall on the southerly side of Shutesbury Road near its intersection with Whitaker Road, at land now or formerly of Stella E. Haney, being the northwesterly corner of the parcel being described herein;

Thence S. 79° 30′ 26" E., by the wall and the road, 87.15 feet, to a point;

Thence S. 71° 03′ 06" E., by the wall and the road, 102.04 feet, to a point;

Thence S. 61° 13′ 05" E., by the wall and the road, 15.60 feet, to a concrete bound set at a point within the wall, at other land now or formerly of Cramer;

Thence S. 04° 54′ 58" W., by other land now or formerly of Cramer, henceforth identified as the "barn lot", 250.00 feet, to a concrete bound set at a corner;

Thence S. 74° 09′ 39" E., by the "barn lot", 296.54 feet, to a concrete bound set at a corner;

Thence N. 04° 54′ 58" E., by the "barn lot", 200.61 feet, to an iron pin set at a point on the southerly side of Shutesbury Road;

Thence S. 78° 16′ 35" E., by the road, 58.17 feet to a point, at or near a "pole & line " easement in favor of N.E.T.&T.Co. and Worcester County Electric Co., running southerly through the parcel being described, and a right-of-way in favor of Bertha E. O′Connell, running generally parallel with the first cited easement;

Thence N. 88° 49′ 56" E., by the road, 143.05 feet, to a point;

Thence N. 75° 28′ 43" E., by the road, 130.78 feet, to a point;

Thence N. 64° 53′ 48" E., by the road, 99.25 feet, to a point;

Thence N. 55° 30′ 52" E., by the road, 122.18 feet, to a point;

Thence N. 69° 58′ 30" E., by the road, 72.58 feet, to a point at or near the end of a stone wall;

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Thence N. 77° 19′ 01" E., by the road and the wall, 95.49 feet, to a point;

Thence N. 84° 41′ 20" E., by Shutesbury Road and the wall, 215.02 feet, to a point at the intersection with North Prescott Road;

Thence S. 35° 11′ 04" E., by North Prescott Road and the wall, 37.33 feet, to a point;

Thence S. 10° 10′ 28" E., by the road and the wall, 42.64 feet, to a concrete bound set at a point in the wall, on the westerly side of North Prescott Road;

Thence S. 04° 01′ 33" E., by the road and the wall, 368.46 feet, to a point;

Thence S. 07° 51′ 04" E., by the road and the wall, 110.84 feet to a point at or near the end of the wall;

Thence S. 00° 43′ 35" W., by the road, 149.18 feet, to a point;

Thence S. 18° 47′ 04" W., by the road, 176.73 feet, to a point;

Thence S. 23° 52′ 23" W., by the road, 209.95 feet, to a point;

Thence S. 17° 36′ 13" W., by the road, 141.69 feet, to a point;

Thence S. 10° 05′ 28" W., by the road, 103.05 feet, to a point;

Thence S. 06° 11′ 04" W., by the road, 95.70 feet, to a concrete bound set at a point on the westerly side of North Prescott Road, at the end of a stone wall at land now or formerly of Arthur E. & Marilyn A. Adams;

Thence N. 64° 27′ 19" W., by the stone wall, 268.47 feet, to an iron pin set at a point within the wall;

Thence N. 72° 18′ 33" W., by the wall, 49.07 feet, to a concrete bound set at a corner of walls;

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Thence N. 77° 03′ 02" W., 187.63 feet, by a wire fence, to a corner falling in a 6" pine tree, at land now or formerly of Bertha E. O'Connell, the last three courses being by land now or formerly of A. E. & M. A. Adams;

Thence N. 00° 39′ 55" E., by and along a wire fence, 200.20 feet, to a concrete bound set;

Thence N. 03° 56′ 55" E., by the fence, 170.24 feet, to an iron pin set at a corner;

Thence N. 80° 31′ 38" W., by the fence, 361.69 feet, to a point, near the two easements mentioned above;

Thence N. 78° 53′ 27" W., crossing the right-of-way and entering, and running by a stone wall, 216.48 feet, to an iron pipe found within the wall, at land now or formerly of Arthur E., Marilyn A., & Jeffrey D. Adams, the last four courses being by land now or formerly of O'Connell;

Thence N. 80° 04′ 53" W., by the wall, 111.01 feet, to a point;

Thence N. 69° 04′ 27" W., by the wall, 40.28 feet, to a point;

Thence N. 49° 53′ 15" W., by the wall, 14.74 feet, to a point;

Thence N. 55° 53′ 07" W., by the wall, 177.63 feet, to a concrete bound set, at a corner;

Thence N. 12° 50′ 02" E., 412.26 feet, to a concrete bound set at a corner of stone walls, at land now or formerly of Stella E. Haney;

Thence N. 04° 54′ 58" E., by the wall, and land now or formerly of Haney, 187.84 feet, to the first mentioned concrete bound set at a point on the southerly side of Shutesbury Road, being the northwesterly corner of the parcel described herein, and the point and place of beginning.

Containing 1,209,250 square feet, or 27.761 acres, and being all of the property lying southerly of Shutesbury Road, with the exception of the "barn lot", held by the supposed owners, as shown opon a survey plan referenced at the conclusion of the description of Parcel 3, below.

Parcel 2

Beginning at a concrete bound set at a point on the northerly side of Shutesbury Road, at other land now or formerly of Cramerlying approximately 700 feet southeasterly from the first and last mentioned bound above;

Thence N. 13° 42′ 04" E., 184.80 feet, to a concrete bound set at a corner;

Thence N. 76° 17′ 56" W., 260.00 feet, to a concrete bound set;

Thence N. 82° 56′ 34" W., 196.48 feet, to a concrete bound set at land now or formerly of Stella E. Haney, et als;

Thence N. 07° 32′ 03" E., along a wire fence, 245.16 feet, to a concrete bound set at a corner;

Thence N. 75° 44 18" W., along the wire fence, 125.88 feet, to a point;

Thence N. 81° 15′ 16" W., by the wire fence, 147.46 feet, to a concrete bound set at a point on the easterly side of Whitaker Road, within a stone wall, the last three courses being by land now or formerly of S. E. Haney, et als;

Thence N. 08° 49′ 01" E., by Whitaker Road, running by and through the wall, 193.97 feet to a point at another wall;

Thence N. 06° 06′ 15" E., by the wall and the road, 73.41 feet, to a point at the end of the wall;

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Thence N. 06° 43′ 20" E., by the road, 527.98 feet, to a point falling in a 16" birch tree, at the northwesterly corner of this second parcel, at land claimed to belong to Donald P. Reutlinger;

Thence N. 81° 33′ 18" E., along, and partially by, a wire fence, and land claimed by D.P. Reutlinger, 362.84 feet, to a point falling in a 10" oak tree at land now or formerly of Glen T. & Rose M. Lyman;

Thence N. 81° 24′ 22" E., by the wire fence, 322.97 feet, to a point falling in a 24" oak tree;

Thence N. 84° 08′ 21" E., by and along the wire fence, and through a 15" double oak, 337.93 feet to a concrete bound set at a corner, and land now or formerly of Michael S. & Judith D. Jewett, the last two courses being by land now or formerly of G. T. & R. M. Lyman;

Thence S. 06° 33′ 42" E., running along and partially by a wire fence, 326.33 feet, to a concrete bound set within the fence line;

Thence S. 08° 32′ 28" E., by the fence line, 265.56 feet, to a concrete bound set at a corner, and other land now or formerly of Cramer;

Thence S. 83° 33′ 37" W., 400.00 feet, to a concrete bound set, at a corner;

Thence S. 08° 00′ 15" E., 747.20 feet, to a concrete bound set at a point on the northerly line of Shutesbury Road, the last two courses being by other land now or formerly of Cramer;

Thence S. 55° 18′ 10" W., by the road, 86.68 feet, to a point;

Thence S. 64° 53′ 48" W., by the road, 93.62 feet, to a point;

Thence S. 75° 33′ 28" W., by the road, 104.90 feet, to the concrete bound first mentioned, being the point and place of beginning.

Containing 1,087,220 square feet, or 24.959 acres, as shown upon a survey plan referenced at the conclusion of the description of Parcel 3, below.

Parcel 3

Beginning at a concrete bound set at the easterly end of a stone wall, marking the northerly line of Shutesbury Road, near the intersection of Shutesbury and North Prescott Roads, and at land, now or formerly, of Chester L. Eaton;

Thence N. 08° 00′ 15" W., by land, now or formerly, of C. L. Eaton, running into and by a stone wall, 200.00 feet, to a concrete bound set at other land now or formerly of Cramer;

Thence S. 83° 33′ 37" W., 321.04 feet, to a concrete bound set at the northwesterly corner of this parcel 3;

Thence S. 08° 00′ 15" E., 204.21 feet, to a point on the northerly line of Shutesbury Road, at the westerly end of a stone wall, the last two courses being by other land now or formerly of Cramer;

Thence N. 80° 35′ 07" E., by the wall and the road, 81.11 feet, to a point;

Thence N. 83° 33′ 37" E., by the stone wall and the road, 239.93 feet, to the first mentioned concrete bound, being the point and place of beginning.

Containing 64,355 square feet, or 1.477 acres, as shown, together with Parcels 1 and 2, as above described, upon a survey plan entitled " Commonwealth of Massachusetts, Metropolitan District Commission, Division of Watershed Management, New Salem (Franklin County) Mass., Land Taking Plan for Watershed Protection", dated June 5, 1995, and prepared by Almer T. Huntley, Jr., and Associates, Inc., which plan shall be recorded with the Franklin County Registry of Deeds and made a part of this order.

The total area, upon which this conservation restriction is taken, as calculated from the information upon the above cited plan, is 2,360,825 square feet, or 54.197 acres.

The aforementioned parcels are supposed to be owned by the following owners:

OWNERS	RESTRICTION AREA TAKEN
Henry L. Cramer and Donna G. Cramer (1/2 interest) Chester D. Cramer and Janice E. Cramer (1/2 interest)	54.197 acres

Meaning and intending to take hereby a watershed preservation restriction and conservation easement in, on and to the above premises, howsoever the same may be bounded and described, and being the major portion of the premises described in a deed from Anthony D. Amato to Henry L. Cramer et als, dated May 4, 1973 and recorded with the Franklin County Registry of Deeds at Book 1345, Page 310.

The above described parcels are the largest portion of the parcels represented upon New Salem Assessors Tax Map 404 as Parcels 67 and 76.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all such rights, including easements, privileges and appurtenances of every name and nature as may be necessary to give full force, virtue and effect, in perpetuity, to the following restrictions on the use of the parcels of land hereinabove described.

1. No construction or placing of buildings or structures or parts thereof, utilities or utility delivery systems, or roads, ways, paths or portions thereof, shall be permitted on said premises, with the exception of temporary structures, each with a gross area of 100 square feet, or less.

2. No septic systems or leach fields shall be permitted.

3. No excavation, dredging or removal of loam, peat, gravel, soil, rock or other mineral substance shall be permitted, except as needed to maintain the land restricted, or the remaining unrestricted lands.

4. No storage, stockpiling, or use of hazardous materials, petroleum products, pesticides and herbicides, manure and fertilizers, shall be permitted.

5. No tillage.

6. No grazing or sheltering of livestock or animals shall be permitted.

7. No commercial or public recreational use shall be permitted, and no motorized or vehicular recreational use by the landowners shall be permitted.

8. No commercial timber harvesting shall be permitted, unless such harvesting is in compliance with the Massachusetts Forest Cutting Practices Act (M.G.L. c. 132, as amended), and MDC Best Management Practices for Forest Management.

9. No other acts or uses detrimental to such watershed, as determined by the duly authorized representatives of said Commission, its successors or assigns or such other authority which shall for any time legally control or hold said restriction and easement.

The above listed restrictions shall not be read as to prohibit the owners, their heirs and successors, from maintaining, repairing, restoring, or renovating fences, bridges, drains, stone walls, pipelines, wells, roads, or other structures, now lawfully upon said premises.

The watershed preservation restriction and conservation easement hereby taken, grants the Commission, its successors and assigns, the right to enter upon the land hereinabove described at any time for the purpose of inspecting said land and enforcing the foregoing restrictions and remedying any violations of same, but does not grant the public any such rights. This right shall be in addition to any other remedies available to the Commission, its successors, assigns or other authority, for the enforcement of the foregoing restrictions and the remedying of any violations of same.

All other customary rights and privileges of ownership shall be retained by the owners, including the right to privacy.

The Commission awards damages sustained by the owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
Henry L. Cramer	$ 294,000.00
Donna G. Cramer	
Chester D. Cramer	
Janice E. Cramer	

The Commission further VOTED: to approve an award of damages in the amount of $294,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

The following matter was placed on the agenda for the information of the Commission:

1. The following schedules were approved for payment by the Commissioner during the period from October 1, 1995 to October 31, 1995.

Expenditures	$3,117,641.43

Adjourned at 9:55 a.m., to meet on Thursday, December 14, 1995, at 9:00 a.m.

Secretary

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Record of the Three Thousand Seven Hundred and Fifty Fifth (3755th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, December 14, 1995 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Settles and Wu.

The Records of the Commission Meeting held on November 30, 1995 were read and approved.

The Secretary submitted for signature the following paper which was signed by the Commissioner and four Associate Commissioners:

1. Amendment, dated December 14, 1995, to Contract-Agreement No. P95-1798-M1A, with Aquatic Control Technology, Inc., for Control of Nuisance Aquatic Vegetation, Upper Mystic Lake, Winchester.

Action was taken upon the following matters relating to the Engineering and Construction Division:

2. Report of Messrs. Faucher and Kirwin, November 10, recommending approval of an Amendment for an extension of time from December 31, 1995 to July 31, 1997 on Contract No. P92-1626-D1A, with Bruce Campbell & Associates, Inc., Consulting Engineers, for Professional Traffic Engineering Services, due to the need for additional design work.
(At no increase in Contract cost).
The Commission V O T E D: Approved.

3. Report of Messrs. Faucher and Jackson, December 6, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P92-1628-C5A, for 1996 Parkway Landscape Improvements.
Estimated Cost - $250,000.00.
Time for Performance - eleven months.
Account No. 2490-8910.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P92-1628-C5A, for 1996 Parkway Landscape Improvements.

4. Report of Messrs. Faucher and Machado, December 5, recommending approval of revisions in quantities on Contract No. P94-1734-C1A, with Citiworks, Inc., for Installation of Closure Gates, Guard Rail and Fences at Various Locations in the Metropolitan District, as follows -

Item No. 028-010 -	Steel Guard Rail (Curved) -	$ 2,400.00
Item No. 040-010 -	Black Vinyl Clad Chain Link Fence (5 feet High) -	$25,500.00
Item No. 050-010 -	Monthly Transportation Vehicle -	$14,000.00
	Total -	$41,900.00

(At no increase in Contract cost as the revisions will be offset by unused quantities in Item Nos. 033-010, 034-010, 046-010, and 048-010).

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The Commission V O T E D: Approved as recommended by Messrs. Faucher and Machado in their report of December 5, 1995.

1. Report of Messrs. Faucher and Gordon Graham, December 8, requesting approval of an extension of time from January 31, 1996 to March 1, 1996 on Contract No. P95-1764-S1A, with Gerard S. Parker, for Lead Paint Safety Protocols, due to delays in writing required advisory report.
(At no increase in Contract cost).
The Commission V O T E D: Approved.

2. Report of Messrs. Faucher and Jackson, November 27, recommending approval of the request of Ledgewood Construction Company, Inc., General Contractor on Contract No. P96-1815-C1A, for Reconstruction of Charlesbank Playground, for approval of the following sub-contractors -

Vincent Fence	- Removal and Installation of Chain Link Fence	- $29,100.00
Sports Tek	- Tennis Court Resurfacing	- $ 9,600.00

(At no increase in Contract cost).
The Commission V O T E D: Approved.

Action was taken upon the following matters relating to the Watershed Management Division:

3. Report of Messrs. McGinn and Robert O'Connor, December 4, on proposals for the purchase of forest products located on the Quabbin, Ware River, Sudbury and Wachusett Watersheds.
The Commission V O T E D: to accept the highest qualified bid, that of Ducat Lumber, of $4,019.60; to purchase approximately 50,245 board feet of sawlogs, 15 cords of pulp and 65 cords of pulp in tops on Timber Lot No. 110-A - Wachusett Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Ducat Lumber, of $3,051.00; to purchase approximately 11,200 board feet of sawlogs, 110 cords of firewood and 8 cords of pulp on Timber lot No. 129 - Wachusett Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Sawyer Trucking, of $10,001.00; to purchase approximately 99,708 board feet of sawlogs, 64 cords of pulp and 91 cords of pulp tops on Timber lot No. 17 - Sudbury Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Hubbard Forest Industries, of $11,969.48; to purchase approximately 143,475 board feet of sawlogs and 101 cords of firewood on Timber lot No. 223A - Ware River Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Forward Enterprise, of $5,600.00; to purchase approximately 80,810 board feet of sawlogs, 36 cords of firewood and 316 tons of whole tree wood on Timber lot No. 251 - Ware River Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Hubbard Forest Industries, of $13,239.32; to purchase approximately 168,155 board feet of sawlogs, 62 cords of

firewood and 371 tons of pulp on Timber lot No. 252 - Ware River Watershed.
The Commission further VOTED: to accept the highest qualified bid, that of Curtis Lumber, of 6,200.00; to purchase approximately 26,300 board feet of sawlogs and 350 cords of firewood on Timber lot No. 253 - Ware River Watershed.
The Commission further VOTED: to accept the highest qualified bid, that of Hubbard Forest Industries, of $10,801.26; to purchase approximately 78,705 board feet of sawlogs and 103 cords of firewood on Timber lot No. 254 - Ware River Watershed.
The Commission further VOTED: to accept the highest qualified bid, that of Bay State Harvesting, of $32,816.99; to purchase approximately 311,755 board feet of sawlogs, 68 cords of firewood and 67 cords of pulp on Timber lot No. 669A - Quabbin Reservoir Watershed.
The Commission further VOTED: to accept the highest qualified bid, that of K & C, of $1,301.00; to purchase approximately 76 cords of firewood on Timber lot No. 725 - Quabbin Reservoir Watershed.
The Commission further VOTED: to accept the only qualified bid, that of W. D. Cowls, of $25,143.00; to purchase approximately 383,295 board feet of sawlogs, 247 cords of firewood and 50 cords in tops on Timber lot No. 726 - Quabbin Reservoir Watershed.
The Commission further VOTED: to accept the highest qualified bid, that of W. D. Cowls, of $25,147.00; to purchase approximately 283,331 board feet of sawlogs, 34 cords of firewood and 27 tons of pulp on Timber lot No. 727 - Quabbin Reservoir Watershed.
The Commission further VOTED: to accept the highest qualified bid, that of W. D. Cowls, of $12,913.00; to purchase approximately 162,946 board feet of sawlogs, 18 cords of firewood and 24 tons of pulp on Timber lot No. 728 - Quabbin Reservoir Watershed.
The Commission further VOTED: to accept the only qualified bid, that of King-Chaffee Logging, of $10,570.00; to purchase approximately 213,456 board feet of sawlogs, 67 cords of firewood and 269 tons of pulp on Timber lot No. 729 - Quabbin Reservoir Watershed.
The Commission further VOTED: to accept the highest qualified bid, that of King-Chaffee Logging, of $28,730.00; to purchase approximately 228,305 board feet of sawlogs, 43 cords of firewood and 185 tons of pulp on Timber lot No. 730 - Quabbin Reservoir Watershed.
The Commission further VOTED: to accept the only qualified bid, that of King-Chaffee Logging, of $15,560.00; to purchase approximately 366,254 board feet of sawlogs, 92 cords of firewood and 879 tons of pulp on Timber lot No. 731 - Quabbin Reservoir Watershed.
The Commission further VOTED: to accept the highest qualified bid, that of King-Chaffee Logging, of $18,515.00; to purchase approximately 149,820 board feet of sawlogs, 38 cords of firewood and 101 tons of pulp on Timber lot No. 732 - Quabbin Reservoir Watershed.
The Commission further VOTED: to accept the highest qualified

bid, that of Leclerc & Son Logging, of $13,639.50; to purchase approximately 73,600 board feet of sawlogs, 136 cords of firewood and 35 cords in tops on Timber lot No. 733 - Quabbin Reservoir Watershed.
The Commission further VOTED: to accept the highest qualified bid, that of New England Forest Products, of $16,000.00; to purchase approximately 155,260 board feet of sawlogs, 279 cords of firewood and 38 cords in tops on Timber lot No. 734 - Quabbin Reservoir Watershed.
The Commission further VOTED: to accept the highest qualified bid, that of Rich Williams Logging, of $1,753.00; to purchase approximately 16,430 board feet of sawlogs and 70 cords of firewood on Timber lot No. 735 - Quabbin Reservoir Watershed.

1. Report of Messrs. McGinn and Robert O'Connor, December 6, requesting an extension of time from December 31, 1995 to May 1, 1996 on Contract No. WM95-022-S1A, with Hampshire College, for Quabbin Forest Inventory Analysis, due to the need for additional time to complete the project.
(At no increase in Contract cost).
The Commission VOTED: Approved.

2. Report of Messrs. McGinn and Orfant, December 4, recommending the following on Contract No. WM95-080-X1A, with Clean Harbors Environmental, Inc., Clean Pack Northeast, for Pilot Household Hazardous Waste Collection -
(a) That work be accepted as completed as of September 1, 1995.
(b) That Invoice No. 2 - 131100056 (Final), in the amount of $17,624.27, be approved for payment.
(Basis of Award - $50,000.00)
(Total to Date - $42,521.27)
(Contract Administration Rating - 8.00 with 10.00 being excellent).
(EEO Compliance - N/A)
The Commission VOTED: that the work of Clean Harbors Environmental, Inc., Contractor under Contract No. WM95-080-X1A, be and hereby is accpeted as completed as of September 1, 1995.
The Commission further VOTED: to approve Invoice No. 2 - 131100056 (Final), in the amount of $17,624.27, for payment.

Action was taken upon the following matters relating to the Office of Real Property:

3. Report of Mr. Gray, December 11, recommending that the Commission approve the acquisition by deed of a conservation restriction of approximately 2.8 acres of land owned by the Federal Deposit Insurance Corporation, located in the Town of Hull, Massachusetts, for the consideration of $140,000.00, and to authorize the Commissioner to execute a purchase and sale agreement relating to this acquisition and to authorize the Secretary to execute all exhibits to said purchase and sale agreement, and any and all conveyancing documents and related instruments on behalf of the Commission, required to acquire a conservation restriction on said property.
The Commission VOTED: to approve the acquisition by deed of a

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conservation restriction of approximately 2.8 acres of land owned by the Federal Deposit Insurance Corporation, located in the Town of Hull, Massachusetts, for the consideration of $140,000.00. The Commission further VOTED: to authorize the Commissioner to execute a purchase and sale agreement relating to this acquisition and to authorize the Secretary to execute all exhibits to said purchase and sale agreement, and any and all conveyancing documents and related instruments on behalf of the Commission, required to acquire a conservation restriction on said property.

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1. Report of Mr. Gray, December 11, recommending that the Commission adopt an Order of Taking for acquisition of approximately 1.89 acres of land owned by Paul J. McGrath, Jr., located in the Town of Holden, Massachusetts, and to approve an award of damages in the amount of $125,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.
The Commission VOTED: to adopt an Order of Taking for acquisition of approximately 1.89 acres of land owned by Paul J. McGrath, Jr., located in the Town of Holden, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, December 14, 1995.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Holden in the County of Worcester and Commonwealth of Massachusetts, namely:

Two certain parcels of land lying on the easterly side of Princeton Street, south of the Quinapoxet River and north of the Wachusett-Coldbrook Tunnel a.k.a. the Quabbin Aqueduct, more particularly bounded and described as follows:

Parcel 1

Beginning at the northwesterly corner of the premises at an iron pin found in a corner of stone walls, at land formerly of one Freeman, now of the City of Worcester, said pin lying about 90 feet southwesterly of the point of intersection of the Center line of the Quinapoxet River and the easterly line of Princeton Street;

Thence S. 61° E., by and through the stone wall, by land of the said City, 290.00 feet, to a point on the

southerly bank of the river, at other land, now or formerly, of Paul J. Mc Grath, Jr.;

Thence S. 06° 37′ 23" E., 147.83 feet to another iron pin found at a corner;

Thence N. 64° 25′ 56" W., 300.92 feet to another iron pin found;

Thence N. 85° 28′ W., 48.00 feet to an iron pin found in a stone wall on the easterly line of Princeton Street, the last three courses being by other land now or formerly of Mc Grath;

Thence N. 04° 32′ E., by the wall and the street, 50.91 feet to an iron pin found at the northerly end of the wall;

Thence N. 17° 20′ E., by the street, 72.80 feet to a drill hole found at the southerly end of another wall;

Thence N. 34° 20′ E., by the street and the wall, 40.61 feet to the first mentioned iron pin found within the corner of walls, being the point and place of beginning.

Containing 42,271 square feet as surveyed and shown as "Lot 1" upon a recorded survey plan referenced at the conclusion of the description of Parcel 2 below.

Parcel 2

Beginning at a railroad spike found at the northwesterly corner of the parcel being described, at a point on the easterly line of Princeton Street, at land, now or formerly, of John Mc Namee, said point lying about 250.27 feet southerly (as measured along the easterly line of the street) of the iron pin in the stone wall referenced above at the conclusion of the fourth course in the description of Parcel 1:

Thence S. 79° 44′ E., 322.12 feet, by land, now or formerly, of Mc Namee, to an iron pin found at other land now or formerly of Mc Grath;

Thence S. 10° 16′ W., 125.00 feet, by other land now or formerly of Mc Grath, to an iron pin found at land now or formerly of Raymond J. & Kimberly Carey Miller;

Thence N. 79° 44′ W., 320.00 feet, by land now or formerly of Miller, to an iron pin found in a stone wall, delineating the easterly line of Princeton Street;

Thence N. 10° 16′ E., by the stone wall and the street, 88.53 feet to an iron pin found at the northerly end of the wall;

Thence N. 06° 51′ E., 36.53 feet, by the street, to the railroad spike first mentioned, being the point and place of beginning.

Containing 40,038 square feet as shown "Lot 3" upon a survey plan entitled "PLAN of LAND in HOLDEN, MASS. owned by PAUL J. Mc GRATH, JR.", dated March 7, 1985, revised March 16, 1985, prepared by Stanley R. Tokarz, R.L.S., and recorded with Worcester District Registry of Deeds as Plan 98 in Plan Book 551.

The total area taken in this instrument, based upon the information shown on the above referenced survey plan, is 82,309 square feet, or 1.89 acres, more or less.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Princeton Street which may be held by the supposed owner as a result of his ownership of these two lots, and being as portion of the same premises described in a deed from Paul J. Mc Grath, Jr. and Grace A. Mc Grath to Paul J. Mc Grath, Jr., dated May 9, 1975 and recorded with Worcester District Registry of Deeds in Book 5713, Page 28.

The above described property is represented upon Holden Assessors Tax Map 50 as Parcels 9 and 11.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land, and expressly reserving to the owner of said premises, for a period of six (6) months subsequent to the date of the recording of this order of taking, the right to remove from Parcel 1, "Lot 1", the dog kennel and related structures formerly used by the Holden Animal Shelter.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Paul J. Mc Grath, Jr.	$ 125,000.00

The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 1.89 acres of land owned by Paul J. McGrath, Jr., located in the Town of Holden, Massachusetts.

Action was taken upon the following Various Matters:

1. Report of Mr. Wright, December 12, requesting that the Commission amend its vote of May 4, 1995, awarding Contract-Agreement No. P95-1784-D1A to Carol R. Johnson Associates, Inc., for Rehabilitation of South Boston Beaches, South Boston, by increasing compensation from $500,000.00 to $504,965.00 and a further request that the Commission execute the Contract-Agreement.
Account No. 2440-8956.
The Commission V O T E D: to amend its vote of May 4, 1995, awarding Contract-Agreement No. P95-1784-D1A to Carol R. Johnson Associates, Inc., for Rehabilitation of South Boston Beaches, South Boston, by increasing compensation from $500,000.00 to $504,965.00.
The Secretary then submitted for signature Contract-Agreement No. P95-1784-D1A, dated December 14, 1995, with Carol R. Johnson Associates, Inc., which was signed by the Commissioner and four Associate Commissioners.

2. Report of Mrs. O'Brien, December 14, recommending approval and execution of a Memorandum of Agreement between the Commission and City of Cambridge for the design and construction of parkway enhancements on Fresh Pond Parkway between Alewife Brook Parkway and Huron Avenue.
(At no cost to the Commission).
The Commission V O T E D: Approved.
The Secretary then submitted for signature Memorandum of Agreement, dated December 14, 1995, between the Commission and City of Cambridge, which was signed by the Commissioner and four Associate Commissioners.

Adjourned at 9:45 a.m., to meet on Thursday, December 21, 1995, at 9:00 a.m.

William F.
Secretary

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Record of the Three Thousand Seven Hundred and Fifty Sixth (3756th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, December 21, 1995 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Settles and Wu.

The Records of the Commission Meeting held on December 7, 1995 were read and approved.

The Secretary submitted for signature the following paper which was signed by the Commissioner and three Associate Commissioners:

1. Amendment, dated December 21, 1995, to Contract-Agreement No. P92-1626-D1A, with Bruce Campbell & Associates, Inc., Consulting Engineers, for Professional Traffic Engineering Services.

Action was taken upon the following matters relating to the Engineering and Construction Division:

2. Report of Messrs. Faucher and Soroka, November 28, recommending the following on Contract No. P95-1771-C1A, with Coviello Electric and General Contracting Co., Inc., for Installation of Mid-Block Pedestrian Signal, Day Boulevard, at the Carson Beach Bath House, South Boston -
(a) That work be accepted as completed as of October 30, 1995.
(b) That Estimate No. 4 (Final), in the amount of $3,605.25 be approved for payment.
(c) That reserve, in the amount of $1,890.96, be approved for payment.
(Basis of Award - $47,493.50)
(Amount to Date - $37,819.25)
(Contract Administration Rating - 4.17)
(EEO Compliance - 4.60)
The Commission VOTED: that the work of Coviello Electric and General Contracting Co., Inc., Contractor under Contract No. P95-1771-C1A, be and hereby is accepted as completed as of October 30, 1995.
The Commission further VOTED: to approve Estimate No. 4 (Final), in the amount of $3,605.25, for payment.
The Commission further VOTED: to approve release of reserve, in the amount of $1,890.96, for payment.

3. Report of Messrs. Faucher and Martinez, December 13, recommending approval of the request of the General Contractor, D'Allessandro Corp., for an extension of time from November 27, 1995 to April 1, 1996, on Contract No. P96-1830-C1A, for New Sewer System at Simoni Rink, Phase 1, Building to City Sewer System, due to a request from the City of Cambridge to delay installation of permanent paving and concrete sidewalks until next Spring. (At no additional Contract cost).
The Commission VOTED: to approve an extension of time from November 27, 1995 to April 1, 1996, on Contract No. P96-1830-C1A, as recommended by Messrs. Faucher and Martinez in their report of December 13, 1995, to be effective, however, only upon receipt of

the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

1. Report of Messrs. Faucher and Machado, December 13, recommending approval of Alteration No. 1, in the amount of a $11,726.40 credit to the Commission, for substituting MDC owned benches for those called for under terms of the Contract, on Contract No. P95-1802-C1A, with D & R General Contracting, for Walkway Improvements along the MDC Harbor Beaches between Boston, Winthrop and Quincy.
The Commission V O T E D: to approve Alteration No. 1, in the amount of a $11,726.40 credit to the Commission, as recommended by Messrs. Faucher and Machado in their report of December 13, 1995.

2. Report of Messrs. Faucher, Brooks and Coppola, December 13, recommending approval of the request of the General Contractor, A. Monti Granite Co., Inc., for an extension of time from December 28, 1995 to April 30, 1996, on Contract No. P93-1693-C2A, for Repair to Sally Port Entrance Granite, Fort Independence, South Boston, to ensure that weather conditions will not effect structural and bonding properties of the material specified and used in the work.
(At no additional Contract cost).
The Commission V O T E D: to approve an extension of time from December 28, 1995 to April 30, 1996, on Contract No. P93-1693-C2A, as recommended by Messrs. Faucher, Brooks and Coppola in their report of December 13, 1995, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

3. Report of Messrs. Faucher and McCalla, December 4, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P96-1821-M1A, for Maintenance of Lighting Systems on MDC Parkways, Roadways and Properties.
Estimated Cost for the twenty-four month project is $532,000.00 -
Funding -
FY96 - $105,000.00 - 2444-9001-NN.
FY97 - $266,000.00 - 2444-9001-NN.
FY98 - $161,000.00 - 2444-9001-NN.
(Funding for FY97 and FY98 contingent upon sufficient funds being made available through budgetary appropriation process).
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P96-1821-M1A, for Maintenance of Lighting Systems on MDC Parkways, Roadways and Properties.

4. Report of Messrs. Faucher and Johnston, December 11, submitting for approval Work Schedule, Project Justification and requesting authorization to advertise Project No. P96-1828-M1A, for Professional Services for Testing and Inspection of Concrete, Bituminous Concrete, Soils, Paint, etc.
Estimated Cost - $30,000.00 -

Account No. 2490-0012 - $25,000.00.
Account No. 2440-7893 - $ 5,000.00.
Time for Performance - twenty four months as needed.
The Commission VOTED: Approved.
The Commission further VOTED: authorization to advertise Project No. P96-1828-M1A, for Professional Services for Testing and Inspection of Concrete, Bituminous Concrete, Soils, Paint, etc.

1. Report of Messrs. Faucher and Johnston, December 11, submitting for approval Work Schedule, Project Justification and requesting authorization to advertise Project No. P96-1829-M1A, for Professional Services for Steel Inspection, Testing and Metallurgy.
Estimated Cost - $30,000.00 -
Account No. 2490-0012 - $25,000.00.
Account No. 2440-7893 - $ 5,000.00.
Time for Performance - twenty four months as needed.
The Commission VOTED: Approved.
The Commission further VOTED: authorization to advertise Project No. P96-1829-M1A, for Professional Services for Steel Inspection, Testing and Metallurgy.

2. Report of Messrs. Faucher and Brooks, December 6, recommending that the Commission ratify the action taken by Acting Director Faucher - along with award and execution of Contract No. P96-1834-E1A - for Emergency Contract for Replacement of two (2) Low Pressure Steam Boilers at the Lower Basin State Police Station, Boston, as follows -
(a) That the Commission ratify the action taken by Acting Director Faucher as outlined in his report of December 6, 1995.
(b) That the Commission approve and award Contract No. P96-1834-C1A - Emergency Contract for Boiler Replacement of Two Low Pressure Steam Boilers at the Lower Basin State Police Station, Boston, in the amount of $19,909.000, to the lowest bidder, George T. Wilkinson, Inc.
(c) That the Commission execute the Contract.
Account No. 2440-8952.
The Commission VOTED: to ratify the action taken by Acting Director Faucher as outlined in his report of December 6, 1995.
The Commission further VOTED: to approve and award Contract No. P96-1834-C1A - Emergency Contract for Boiler Replacement of Two Low Pressure Steam Boilers at the Lower Basin State Police Station, Boston, in the amount of $19,909.000, to the lowest bidder, George T. Wilkinson, Inc.
The Secretary then submitted for signature Contract No. P96-1834-C1A, dated December 21, 1995, which was signed by the Commissioner and three Associate Commissioners.

Action was taken upon the following matter relating to the Recreational Facilities and Programs Division:

3. Report of Mr. Testa, December 18, submitting for approval and

execution Service Contract with Boston Bruins Alumni Association, Inc., at a cost of $3,300.00, for entertainment (Hockey Game) at the Grand Re-Opening of the John W. Flynn Memorial Skating Rink, Medford-Stoneham, on December 28, 1995.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Service Contract, dated December 21, 1995, with the Boston Bruins Alumni Association, Inc., which was signed by the Commissioner and three Associate Commissioners.

Action was taken upon the following Various Matters:

1. Report of Mrs. O'Brien, December 18, submitting for approval and execution Agreement for Maintenance Services between the Arnold Arboretum of Harvard University and the MDC for the winter maintenance of the sidewalk of the Arborway, Jamaica Plain, as it abuts the Arboretum.
(At no cost to the Commission).
The Commission V O T E D: Approved.
The Secretary then submitted for signature Agreement, dated December 21, 1995, for Maintenance Services between the Arnold Arboretum of Harvard University and the MDC for the winter maintenance of the sidewalk of the Arborway, Jamaica Plain, as it abuts the Arboretum, which was signed by the Commissioner and two Associate Commissioners.
Associate Commissioner Wu did not participate in discussion, vote nor sign the Agreement.

2. Report of Miss Overton, December 13, requesting Commission approval of the third year rates for Contract with Health Resources Corp., for Medical Evaluation of MDC Employees, as originally submitted by the firm and inadvertently omitted from the Contract by the MDC. Third year rates as follows -

Item 1 - $168.00	Item 5 - $ 76.00	Item 10 - $ 61.00
Item 2 - $237.00	Item 6 - $206.00	Item 11 - $ 29.00
Item 3 - $256.00	Item 7 - $183.00	Item 12 - $ 69.00

Item 4 - $ 99.00/hr.
Item 8 - $ 99.00/hr.
Item 9 - $ 99.00/hr.
The Commission V O T E D: Approved as requested by Miss Overton in her report of December 13, 1995.

Action was taken upon the following matters relating to the Office of Real Property:

3. Report of Mr. Gray, December 18, requesting award of a Contract-Agreement for Professional Legal Services to Assist the Real Property Office for the FY96 Watershed Land Acquisition Program to Norman Bartlett, II, and authorize Commissioner Balfour to execute the Contract-Agreement on behalf of the Commission. (The Contract was authorized at the Commission Meeting of November 16, 1995).
Compensation - not-to-exceed $15,600.00.
Time for Performance - six months at 37.50 hours per week.

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Account No. 2420-1400.
The Commission VOTED: to award a Contract-Agreement for Professional Legal Services to Assist the Real Property Office for the FY96 Watershed Land Acquisition Program to Norman Bartlett, II, as requested by Mr. Gray in his report of December 18, 1995.
The Commission further VOTED: to authorize Commissioner Balfour to execute the Contract-Agreement on behalf of the Commission.

1. Report of Mr. Gray, December 18, recommending that the Commission reaffirm its vote of November 16, 1995, relative to the adoption of an Order of Taking for acquisition of approximately 12.01 acres of land owned by Katherine P. Hart, Trustee of the Katherine P. Hart Trust, located in the Town of West Boylston, Massachusetts, and to approve an award of damages in the amount of $42,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936.

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The Commission V O T E D: to reaffirm its vote of November 16, 1995, relative to the adoption of an Order of Taking for acquisition of approximately 12.01 acres of land owned by Katherine P. Hart, Trustee of the Katherine P. Hart Trust, located in the Town of West Boylston, Massachusetts, and to approve an award of damages in the amount of $42,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, December 21, 1995.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of West Boylston in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying off of the northerly side of Laurel Street, and off of the northwesterly side of Raymond Huntington Highway-Interstate 190, between 300 and 400 feet easterly of the Holden - West Boylston Corporate Line, more particularly bounded and described as follows:

Beginning at the easternmost point of the parcel being described at a concrete bound with drill hole found at a corner of land, now or formerly, of Gary M. Erickson and Dianne E. Erickson, and at land, now or formerly, of Daniel N. Mercurio, said point lying N. 66° 11′ 41" W., 200.68 feet from a concrete bound with drill hole found on the northwesterly line of Raymond Huntington Highway;

Thence S. 49° 31′ 04" W., 339.82 feet, to a concrete bound with drill hole found;

Thence S. 49° 31′ 04" W., 522.99 feet, to a drill hole found in a corner of stone walls, at the southwesterly corner of the property being described, at land, now or formerly, of Katherine Kristoff, and land, now or formerly, of Charles R. & Leslie D. Hicks, the last two courses being by land, now or formerly, of G.M. & D.E. Erickson;

Thence N. 15° 53′ 37" W., 522.74 feet, to a concrete bound set, in a pile of stones found at land, now or formerly, of Wachusett Development Corporation, this course being by land, now or formerly, of the aforesaid C.R. & L.D. Hicks;

Thence S. 63° 39′ 01" E., 31.23 feet to an iron rod set in a heap of stones found;

Thence N. 15° 15′ 34" W., 337.56 feet to an iron rod set at the end of a stone wall segment;

Thence N. 35° 03′ 52" W., 62.08 feet to a drill hole set at a point within the wall;

Thence N. 30° 35′ 22" W., 44.43 feet to an iron rod set at a point within the wall, at land, now or formerly, of Preston W. and Rosemary C. Hall, the last four courses being by land, now or formerly, of the Wachusett Development Corporation;

Thence On the same bearing, running with and past the end of the wall, a distance of 89.68 feet to an iron rod set;

Thence N. 09° 26′ 20" E., running through several stone wall segments, 241.58 feet to a drill hole set in a stone wall forming the southwesterly line of land, now or formerly, of Chester E. Petertson, the last two courses being by land, now or formerly, of P.W. & R.C. Hall;

Thence S. 63° 08′ 06" E., by the wall, 164.12 feet to a drill hole set at a corner of land, now or formerly, of David P. and John D. Mercurio;

Thence S. 53° 04′ 24" E., 704.60 feet by land, now or formerly, of D.P.& J.D. Mercurio, to an iron rod set at the point of intersection with the northwesterly corner of other land, now or formerly, of Mercurio;

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Adjourned at 9:40 a.m., to meet on Thursday, January 4, 1996, at 9:00 a.m.

William F.
Secretary

Record of the Three Thousand Seven Hundred and Fifty Seventh (3757th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, January 4, 1996 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Settles and Wu.

The Records of the Commission Meeting held on December 14, 1995 were read and approved.

The Secretary submitted for signature the following paper which was signed by the Commissioner and four Associate Commissioners:

1. Amendment, dated January 4, 1996, to Contract-Agreement No. WM95-082-S1A, with Nashua River Watershed Association, for Wachusett Task Force Technical Assistance.

2. At this point, the Commission moved to delete from the Agenda, Amendment to Contract-Agreement No. WM95-022-S1A, with Hampshire College, for Quabbin Forest Inventory Analysis.

Action was taken upon the following matters relating to the Engineering and Construction Division:

3. Report of Messrs. Faucher and Jackson, December 15, submitting for approval Budget for Procurement of Materials and Services for the 1996 Massachusetts Horticultural Society Flower Show - Contract No. P93-1678-X4A.
Cost not-to-exceed - $30,000.00.
Account No. 2448-0000.
The Commission VOTED: Approved.

4. Report of Messrs. Faucher and Mayhew, December 22, recommending approval of the request of the General Contractor, Tar-Vel Roofing Company, for an extension of time from November 15, 1995 to January 31, 1996, on Contract No. P95-1812-C1A, for Installation of New Roofing Systems at the Shea Rink, Quincy; Bryan Rink, West Roxbury and the Reilly Rink, Brighton, in order to process required closeout paperwork.
(At no increase in Contract cost).
The Commission VOTED: to approve an extension of time from November 15, 1995 to January 31, 1996, as recommended by Messrs. Faucher and Mayhew in their report of December 22, 1995, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

5. Report of Mr. Faucher and Miss Peterson, December 29, recommending approval of the request of The Middlesex Corporation/Middlesex Paving/Middlesex Bituminous Products/ Middlesex, Inc./Middlesex Materials Corporation, General Contractor on Contract No. P82-1054-C1A, for Repair of Charles Circle Bridges #57A and #57B, Boston, to engage the services of Algar Construction Corp., as sub-contractor for Setting Form Work, Installing Reinforcing Steel and Pouring Concrete, at a

cost of $315,888.00.
(At no increase in Contract cost).
The Commission V O T E D: Approved as recommended by Mr. Faucher and Miss Peterson in their report of December 29, 1995.

Action was taken upon the following matters relating to the Office of Planning:

1. Report of Mrs. O'Brien, December 8, recommending the following on Contract No. PL95-034-D1A, with Aquatic Control Technology, Inc., for Nuisance Aquatic Vegetation Management Program - Charles River Lakes District -
(a) That work be accepted as complete as of November 30, 1995.
(b) That Estimate No. 5 (Final), in the amount of $2,250.00, be approved for payment.
(c) That reserve, in the amount of $4,988.95, be approved for payment.
(Contract Performance Rating - 9.00 - with 10.00 being excellent).
(EEO Compliance - N/A)
The Commission V O T E D: that the work of Aquatic Control Technology, Inc., Contractor under Contract No. Pl95-034-D1A, be and hereby is accepted as completed as of November 30, 1995.
The Commission further V O T E D: to approve Estimate No. 5 (Final), in the amount of $2,250.00, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $4,988.95, for payment.

2. Report of Miss Overton and Mrs. O'Brien, December 29, recommending approval and execution of an Amendment to Memorandum of Agreement (MOA), dated August 15, 1990, between Congress Group Ventures (CGV) and the Metropolitan District Commission (MDC) for Park Improvements at North Point in Cambridge and further, approving and executing an Inter-Agency Service Agreement (ISA) between the Massachusetts Highway Department (MHD) and the Metropolitan District Commission (MDC) for $600,000.00, for Park Improvements in the North Point Cambridge Section of the New Charles River Basin.
Associate Commissioner Carr questioned whether the Amendment is in compliance with all State Rules and Regulations pertaining to bidding procedures for public projects and if the scope of work will remain the same.
Mrs. O'Brien responded in the affirmative.
Mrs. O'Brien went on to explain that Congress Group has proposed that it assume MHD's responsibility for a portion of road improvements at North Point, up to an estimated cost of $600,000.00. Within sixty days of the issuance of a building permit for the residential portion of the project, CGV will transfer $100,000.00 to the Metropolitan Parks Trust Fund. At the same time, a portion of the CGV parcel will be transferred to the MDC for use as park land. (These two provisions are unchanged from the original CGV/MDC MOA). Within sixty days of the issuance of a building permit for the office portion of the project, CGV will transfer $300.000.00 to the Metropolitan Parks Trust Fund (rather than the $900,000.00 as described in the

original CGV/MDC MOA). The remaining funding of $600,000.00 for park improvements at North Point will be provided to the MDC through the ISA with MHD submitted herewith. The $600,000.00 for park improvements is separate from and not included in the $80 million funding described in the MHD/MDC MOA, Mrs. O'Brien concluded.

Following a lengthy discussion, the Commission VOTED: to approve an Amendment to Memorandum of Agreement, dated August 15, 1990, between Congress Group Ventures and the Metropolitan District Commission for Park Improvements at North Point in Cambridge.

The Secretary then submitted for signature Amendment, dated January 4, 1996, to Memorandum of Agreement, between Congress Group Ventures and the Metropolitan District Commission for Park Improvements at North Point in Cambridge, which was signed by the Commissioner and three Associate Commissioners.

The Commission further VOTED: to approve an Inter-Agency Service Agreement between the Massachusetts Highway Department and the Metropolitan District Commission for $600,000.00, for "Northpoint West Seawall and parkland improvements design and construction", in the North Point Cambridge Section of the New Charles River Basin.

The Secretary then submitted for signature Inter-Agency Service Agreement, dated January 4, 1996, between the Massachusetts Highway Department and the Metropolitan District Commission for $600,000.00, for Park Improvements in the North Point Cambridge Section of the New Charles River Basin, which was signed by the Commissioner.

Associate Commissioner Wu did not vote on the matter nor sign the Amendment to the Memorandum of Agreement with Congress Group Ventures.

Adjourned at 10:05 a.m., to meet on Thursday, January 11, 1996, at 9:00 a.m.

William F. Cushing
Secretary

Record of the Three Thousand Seven Hundred and Fifty Eighth (3758th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, January 18, 1996 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Settles and Wu.

The Records of the Commission Meeting held on December 21, 1995 were read and approved.
Associate Commissioner Elkort noting that she was not at the Commission Meeting of December 21, 1995, abstained from voting on this matter.

The Secretary submitted for signature the following paper which was signed by the Commissioner and four Associate Commissioners:

1. Contract No. P95-1804-S1A, dated January 18, 1996, with Sasaki Associates, Inc., for Dorchester Shores Beach Restoration Program.

Action was taken upon the following matters relating to the Engineering and Construction Division:

2. Report of Messrs. Faucher and Mayhew, December 27, requesting that the Commission ratify the action of Acting Director Faucher resulting in Extra Work Order No. 1 - resulting in miscellaneous work at the Shea Rink and Reilly Rink, at a cost of $4,348.63, on Contract No. P95-1812-C1A, with Tar-Vel Roofing Co., for Installation of New Roofing Systems at the Shea Rink, Quincy, Bryan Rink, West Roxbury, and Reilly Rink, Brighton.
Account No. 2440-8952.
The Commission VOTED: to ratify the action of Acting Director Faucher which resulted in Extra Work Order No. 1.
The Commission further VOTED: to approve Extra Work Order No. 1, in the amount of $4,348.63.

3. Report of Messrs. Faucher and Kirwin, January 12, recommending approval of the request of Bruce Campbell & Associates, Inc., Consultant on Contract No. P92-1626-D1A, for Professional Traffic Engineering Services, to engage the services of ASEC Corporation, as sub-consultant to perform Topographical Survey for their assignment to design a pedestrian actuated traffic signal at Route 9 for the Jamaicaway Bike Path.
The Commission VOTED: Approved.

4. Report of Mr. Faucher and Mrs. Graves-Jones, January 9, on bids for Servicing Traffic Signal and Control Systems, Old Colony and Blue Hills Districts - Contract No. P96-1836-M1A.
(Mr. Faucher and Mrs. Graves-Jones recommend acceptance of the lowest bid received, that of Coviello Electric and General Contracting Co., Inc., of $431,105.00).
Associate Commissioner Wu questioned how many prospective bidders were notified that the three traffic signal and control systems contracts were available for bid.
Mr. Kirwin responded that eight Requests for Proposals were

mailed to qualified bidders. However, he noted, only two bids were received for each of the three contracts. He then explained that the work is very specialized and few contractors are qualified to perform work called for under the terms of the contracts.

Associate Commissioner Carr asked if Coviello Electric and General Contracting Co., Inc., has the Prequalification Rating to fulfill all aspects of the three contracts.

Mr. Jewett responded in the affirmative.

The Commission V O T E D: to accept the lowest bid received, that of Coviello Electric and General Contracting Co., Inc., of $431,105.00.

1. Report of Messrs. Faucher and Soroka, January 9, on bids for Servicing Traffic Signal and Control Systems - Charles River Basin Districts - Contract No. P96-1838-M1A.

(Messrs. Faucher and Soroka recommend acceptance of the lowest bid received, that of Coviello Electric and General Contracting Co., Inc., of $455,950.00).

The Commission V O T E D: to accept the lowest bid received, that of Coviello Electric and General Contracting Co., Inc., of $455,950.00.

2. Report of Messrs. Faucher and Jackson, January 4, recommending ratification of the action of Acting Director Faucher resulting in Extra Work Order No. 1, for installation of play equipment and play surfacing at Riverdale Park, Dedham, at a cost of $7,992.50, on Contract No. P95-1770-C1A, with Fleming Brothers, Inc., for Reconstruction of Riverdale Park, Dedham and Toohig Playground, Dorchester.

Account No. 2440-8952.

The Commission V O T E D: to ratify the action of Acting Director Faucher which resulted in Extra Work Order No. 1.

The Commission further V O T E D: to approve Extra Work Order No. 1, in the amount of $7,992.50.

3. Report of Mr. Faucher and Ms. Pomorska, January 9, on bids for Servicing Traffic Signal and Control Systems, Middlesex Fells and Revere Beach Districts, Contract No. P96-1837-M1A.

(Mr. Faucher and Ms. Pomorska recommend acceptance of the lowest bid received, that of Coviello Electric and General Contracting Co., Inc., of $387,440.00).

The Commission V O T E D: to accept the lowest bid received, that of Coviello Electric and General Contracting Co., Inc., of $387,440.00.

4. Report of Messrs. Faucher and McCalla, January 16, recommending approval of an extension of time from January 31, 1996 to February 29, 1996, on Contract No. P94-1706-M1A, with Penachio Brothers Electrical Corporation, for Maintenance of Street Lighting Systems on Parkways and Roadways of the Commission, pending award of a new Contract.

The Commission V O T E D: to approve an extension of time from January 31, 1996 to February 29, 1996, as recommended by Messrs. Faucher and McCalla in their report of January 16, 1996, to be

effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

1. Report of Mr. Jackson, January 16, requesting approval of Contract No. P96-1847-C1A, with Mystic Scenic Studios, Inc., for MDC 1996 Flower Show Exhibit.
Contract Cost - $28,630.00
Time for Performance - three months.
Account No. 2448-0052.
The Commission VOTED: Approved as requested by Mr. Jackson in his report of January 16, 1996.

Action was taken upon the following Various Matters:

2. Report of Mr. Jewett, December 4, on behalf of the Consultant Selection Committee, recommending selection of Rojas Associates, Inc., for Project No. P95-1761-D1A, Playground Design Services - Four Sites.
Mr. Jewett further requests that the Commission amend its vote of April 13, 1995 by increasing the estimated project cost from $150,000.00 to $200,000.00.
Time for Performance - eighteen months.
Account No. 2441-9886 and 2440-8952.
The Commission VOTED: to approve the selection of Rojas Associates, Inc., for Project No. P95-1761-D1A, Playground Design Services - Four Sites.
The Commission further VOTED: to amend its vote of April 13, 1995 by increasing the estimated project cost from $150,000.00 to $200,000.00, as requested by Mr. Jewett in his report of December 4, 1995.

3. Report of Miss Adams, January 5, on bids for Graphic Design and Printing of the Green Ribbon Commission Report.
(Miss Adams recommends acceptance of the lowest bid, that of PandaMonium Designs, of $22,900.00).
Time for Performance - one month from notice to proceed.
Account No. 2410-7872.
The Commission VOTED: to accept the lowest bid, that of PandaMonium Designs, of $22,900.00, as recommended by Miss Adams in her report of January 5, 1996.

Adjourned at 10:30 a.m., to meet on Thursday, January 25, 1996, at 9:00 a.m.

William F.
Secretary

1. Report of Messrs. Faucher and Brooks, January 18, recommending ratification of the action of Acting Director Faucher resulting in Revisions in Quantities on Contract No. P94-1735-M1A, with Harris Environmental Systems, Inc., for Maintenance of Refrigeration Systems at MDC Skating Rinks (FY'95 & FY'96), as follows -

Item No. 023-010 Provide Maintenance Service	**$ 78,464.00**
Item No. 025-010 Materials and Parts	**$ 39,586.00**
At a Total Cost of -	**$118,050.00**

Funding available in Account Nos. 2440-0010 and 2440-7893.
The Commission V O T E D: Approved.

2. Report of Messrs. Faucher and Jackson, January 26, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P94-1719-C1A, for Installation of New Benches, Boston Harbor Beaches.
Cost - $20,000.00.
Time for Performance - three months.
Account No. 2440-8956.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P94-1719-C1A, for Installation of New Benches, Boston Harbor Beaches.

3. Report of Messrs. Faucher and Sacco, January 22, recommending approval and ratification of the action of Acting Director Faucher resulting in Revisions in Quantities and Extra Work Orders on Contract No. P82-1128-C2A, with John J. Paonessa Co., Inc., for Rehabilitation of Mystic Valley Parkway, Winchester, as follows -

Revisions in Quantities -

Item No. 015-020	- Bituminous Concrete	$57,400.00
Item No. 020-030	- Cement Concrete Driveways	$ 7,200.00
Item No. 020-050	- Bituminous Concrete Sidewalks and Driveways	$12,025.00
Item No. 030-010	- Light Poles MDC	$12,950.00
Item No. 030-011	- Luminaires MDC	$ 3,850.00
Item No. 030-012	- Light Pole Winchester	$ 2,100.00
Item No. 030-013	- Luminaire Winchester	$ 880.00
	Total -	**$96,405.00**

Extra Work Orders

Extra Work Order No. 5 Installation of a Step Down Transformer	$ 2,337.41
Extra Work Order No. 6 New Electrical Service to Engineer's Field Office	$ 6,617.91
Total -	**$ 8,955.32**

(At no increase in Contract Cost as the revisions and Extra Work will be offset by unused quantities in Item No. 015-010, Bituminous Concrete Base and Item No. 024-010, Loam Borrow).
The Commission V O T E D: to approve and ratify the action of Acting Director Faucher, which resulted in Revisions in

Quantities and Extra Work Orders on Contract No. P82-1128-C2A.
The Commission further V O T E D: to approve the Revisions in Quantities, in the amount of $96,405.00.
The Commission further V O T E D: to approve Extra Work Order No. 5, in the amount of $2,337.41.
The Commission further V O T E D: to approve Extra Work Order No. 6, in the amount of $6,617.91.

Action was taken upon the following matters relating to the Watershed Management Division:

1. Report of Messrs. McGinn and Robert O'Connor, January 24, on proposals for the tapping of Sugar Maple trees located on Quabbin Reservoir Watershed.
The Commission V O T E D: to accept the only bid received, that of Shattuck Sugar House, of $226.50; allowing 906 taps of 453 sugar maple trees on Sugar Maple Lot #64 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the only bid received, that of Philip Johnson, of $160.00; allowing 525 taps of 317 sugar maple trees on Sugar Maple Lot #66 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the only bid received, that of Philip Johnson, of $200.00; allowing 471 taps of 277 sugar maple trees on Sugar Maple Lot #67 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the only bid received, that of Hamilton Orchards, of $112.00; allowing 323 taps of 205 sugar maple trees on Sugar Maple Lot #68 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the only bid received, that of Philip Johnson, of $130.00; allowing 557 taps of 287 sugar maple trees on Sugar Maple Lot #69 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the only bid received, that of Hamilton Orchards, of $140.00; allowing 404 taps 171 of sugar maple trees on Sugar Maple Lot #70 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the only bid received, that of Philip Johnson, of $160.00; allowing 491 taps 202 of sugar maple trees on Sugar Maple Lot #71 - Quabbin Reservoir Watershed.

2. Report of Messrs. McGinn and Kane, January 26, requesting approval and execution of Contract No. WM86-004-X1A, with Camp Dresser & McKee, Inc., for Assistance with Environmental Permits, Stearns Dam, Framingham.
Contract Cost - $4,950.00.
Account No. 2420-7882.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Contract No. WM86-004-X1A, dated February 1, 1996, with Camp Dresser & McKee, Inc., which was signed by the Commissioner and three Associate Commissioners.

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1. Report of Messrs. McGinn and Robert O'Connor, January 23, recommending that the Commission revise the Emergency Timber Salvage Sale Policy which was approved at the Commission Meeting of June 18, 1988.
(The major change is to increase the allowed dollar value of a salvage sale from $5,000.00 to $10,000.00).

The Commission V O T E D: to approve the revised Emergency Timber Salvage Policy as follows -

POLICY STATEMENT: EMERGENCY SALVAGE SALES OF TREES AND TIMBER PRODUCTS ON WATERSHED LANDS

Purpose: The purpose of salvage sales is to restore the watershed forest environment due to natural disturbances such as fire, wind, insects, disease, fungi, or other injurious agents. Through prompt removal of areas of dead and diseased trees fire hazard can be reduced, the spread of disease may be slowed, the flow of water through clogged stream beds may be restored, the flow of nutrients to streams may be reduced, access to forest may be regained, and the recovery of the site through tree planting or release of residual trees and natural regeneration can occur. Salvage sales also allow MDC to recover the value of dead or diseased trees before rot makes them worthless. Salvage sales may also be used to complete ongoing timber sales where the selected bidder did not complete work.

Definition of Salvage Operation:

1. The cutting, removal, and sale of timber resources from one contiguous forest area that have been damaged or killed by natural causes. This may occur on an area already marked and sold or in an area not marked for tree cutting activities.

2. The cutting or removal and sale of timber resources that remain on an uncompleted timber or roadside log sales. This may occur when contract violations prevent the completion of the sale. The salvage operation would include cutting and removal of all marked trees and the removal of all wood products cut and left in the forest or on the log landing.

3. The sale and removal of timber or roadside forest products that the Commission was unable to sell through the regular procedures of the Commonwealth due to lack of response. A salvage operation is necessary to prevent significant loss of the value of such products due to root or insects or may be the only method in which necessary forest management can be completed.

Procedures for Salvage Operation Sale Administration:

1. Logging contractor must have demonstrated acceptable workmanship skills on past Commission timber sales in order to be considered.

2. Two or more bidders must be sought for each sale.

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3. The highest bidder agreeing to meet all contract specifications, shall be awarded the contract.

4. The restoration of the damaged area shall be the primary goal of salvage sales. Therefore, some site restoration measures may be required in addition to those normally in MDC Timber Sale Contracts such as removal of trees and slash from woods roads, stream beds, and property lines.

5. The procedure for performance bonds for routing timber sales will be followed for salvage sales.

6. In cases where salvage sales are required on active timber lots currently in compliance with a Commission contract, the salvage sale will be offered to the contractor at the same price paid on his contract minus the value of any restoration work.

7. Each salvage sale shall not exceed a total revenue value of $10,000.00.

1. Report of Mr. McGinn and Miss Austin, January 25, requesting approval of Interdepartmental Service Agreement with the University of Massachusetts - Amherst, for Containment Transport Modeling and the Impact of Watershed Activities on Water Quality in Quabbin Reservoir - Phase II (WM96-017-S1A).
Time for Performance - eighteen months from March 1, 1996 through August 31, 1997.
Total Obligation - $178,261.00 - FY/96 not to exceed $19,000.00 - Account No. 2420-1400, Funding for the remainder of project will be contingent upon appropriations being made through annual budgetary process.
The Commission V O T E D: Approved as requested by Mr. McGinn and Miss Austin, in their report of January 25, 1996.

2. Report of Messrs. McGinn and Kane, January 25, requesting approval of the following on Contract No. WM94-007-C1A, with WES Construction Corp., for Construction of Expedient Repairs to Goodnough Dike, Quabbin Reservoir, Ware, Massachusetts -

Extra Work Orders	
Extra Work Order No. 1 Additional Dewatering	$26,318.61
Extra Work Order No. 2 Damages Incurred in Drilling Operations	$ 3,370.00
Extra Work Order No. 3 Additional Sand-Bedding of Piping	$ 3,787.00
Total -	**$33,475.61**
Revision in Quantity	
Item No. 02145.3 Furnish, Install, Develop, Test & Abandon Additional Dewatering Wells, as Directed	$20,000.00
Total -	**$20,000.00**
Alterations	
Item No. 02200.2 Rock Blasting	$ 3,300.00

Alterations (con.-)
Item No. 02015-7 $ 6,422.60
Furnish and Install Permanent Flow Meter
at MH-3 (Change in Meter Type)

Total - $ 9,722.60

Sub-Total = $63,198.21

Credit to the Commission $ 9,790.00
Item No. 01510.1
Engineers Field Office

Grand-Total = $53,408.21

Account No. 2420-8881.
The Commission V O T E D: to approve Extra Work Order No. 1, in the amount of $26,318.61.
The Commission further V O T E D: to approve Extra Work Order No. 2, in the amount of $3,370.00.
The Commission further V O T E D: to approve Extra Work Order No. 3, in the amount of $3,787.00.
The Commission further V O T E D: to approve the Revisions in Quantities on Item No. 02145.3, in the amount of $20,000.00.
The Commission further V O T E D: to approve an Alteration to Item No. 02200.2, in the amount of $3,300.00.
The Commission further V O T E D: to approve an Alteration to Item No. 02015.7, in the amount of $6,422.60.
The Commission further V O T E D: to approve a Credit to the Commission in the amount of $9,790.00.
At this point, Mr. Jewett commended Dennis Kane of the Watershed Management Division and Dominic Pezzuto of the Contract Administrator's Office for their efforts in negotiations with the contractor which lead to a savings to the Commission of approximately $100,000.00.

Action was taken upon the following Various Matters:

1. Report of Mr. Jewett, January 29, requesting selection of Tsokanis Architects, for Project No. P96-1839-D1A, Design Services - Boston Harbor Beaches: George's Island Picnic Pavilion.
Contract cost - Lump Sum of $5,000.00.
Time for Performance - approximately four months.
Account Nos. 2440-8956 and 2441-9952.
The Commission V O T E D: Approved as requested by Mr. Jewett in his report of January 29, 1996.

2. Report of Mr. Jewett, January 29, on behalf of the Consultant Selection Committee, requesting selection of Tundra Corporation, for Project No. P95-1766-X1A, Industrial Hygiene, Environmental Monitoring and Compliance Assistance.
Compensation estimated at $230,000.00 on a unit price basis.
Time for Performance - thirty months.
Account No. 2420-1400.
Associate Commissioner Carr questioned what process was used by

the Consultant Selection Committee leading to its recommendation that Tundra Corporation be awarded the Contract.

Mr. Jewett explained that thirty firms showed an interest and responded to an advertisement which was placed in the Central Register. Following a review of the qualifications of the respondents, the Committee voted to invite the four highest ranked firms to submit proposals. Only three responded, he noted.

Following a lengthy review and discussion of the proposals and the unit price schedules submitted by each of the three consultants, the Committee ranked their preference, he noted.

Mr. Jewett explained that Tundra Corporation was the most preferred by the Committee.

Associate Commissioner Carr asked that in the future when the Consultant Selection Committee makes award recommendations on Contracts, that it provide more explicit information on why a specific Consultant is being recommended to the Commission for selection.

The Commission VOTED: Approved as requested by Mr. Jewett in his report of January 29, 1996.

Adjourned at 10:05 a.m., to meet on Thursday, February 8, 1996, at 9:00 a.m.

William F.
Secretary

Record of the Three Thousand Seven Hundred and Sixty First (3761st) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, February 8, 1996 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort and Wu.

The Records of the Commission Meeting held on January 25, 1996 were read and approved.

The Secretary submitted for signature the following paper which was signed by the Commissioner and three Associate Commissioners:

1. Contract, dated February 8, 1996, with PandaMonium Designs, for Green Ribbon Commission Report.

Action was taken upon the following matters relating to the Engineering and Construction Division:

2. Report of Messrs. Kerins, Faucher and Brooks, February 1, recommending approval of their actions resulting in **Open Order Contract No. P96-1852-X1A**, for Emergency Removal of Snow and Associated Repairs at Various Commission Facilities and Removal of Snow from Commission Parkways, due to the repeated snow storms of the first two weeks of January, 1996, and to approve as follows -
Emergency Contract No. P96-1852-C1A, to Modern Continental Construction Company, for removal of snow from rink roofs and emergency repairs to Hyde Park and Weymouth roofs, at a total cost of $550,000.00. (Of four firms contacted, only Modern Continental Construction Company could provide immediate assistance and required resources).
Engineering Services Contracts - to evaluate integrity of rinks roofs -
Contract No. P96-1852-D1A, to Roy Associates, at a cost of $25,000.00.
Contract No. P96-1852-D2A, to Vollmer Associates, at a cost of $25,000.00.
Contract No. P96-1852-D3A, to Zaldastani Associates, Inc., at a cost of $50,000.00.
Contract No. P96-1852-D4A, to Barnes and Jarnis, Inc., at a cost of $25,000.00.
Equipment Rentals - by Central Services for the removal of snow throughout the Parkway System during the repeated storms - at a cost of $206,989.25.
Scissor Lift Rentals - by Engineering and Construction Division to inspect and repair roof structures - Estimated Cost - $4,000.00.
The total estimated cost for the emergency work is as follows -

Modern Continental Construction Company	- $550.000.00
Engineering Services contracts	- $125,000.00
Equipment Rentals	- $210,989.25
Total	= **$885,989.25**

Account No. 2440-2000.
The Commission VOTED: to approve the actions of Messrs.

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Kerins, Faucher and Brooks, resulting in Open Order Contract No. P96-1852-X1A, for Emergency Removal of Snow and Associated Repairs at Various Commission Facilities and Removal of Snow from Commission Parkways, in the amount of $885,989.25, due to the repeated snow storms of the first two weeks of January, 1996.
The Commission further VOTED: to approve Emergency Contract No. P96-1852-C1A, to Modern Continental Construction Company, for removal of snow from rink roofs and emergency repairs to Hyde Park and Weymouth roofs, at a total cost of $550,000.00.
The Commission further VOTED: to approve Contract No. P96-1852-D1A, for Engineering Services Contract - to evaluate integrity of rinks roofs, to Roy Associates, at a cost of $25,000.00.
The Commission further VOTED: to approve Contract No. P96-1852-D2A, for Engineering Services Contract - to evaluate integrity of rinks roofs, to Vollmer Associates, at a cost of $25,000.00.
The Commission further VOTED: to approve Contract No. P96-1852-D3A, for Engineering Services Contract - to evaluate integrity of rinks roofs, to Zaldastani Associates, Inc., at a cost of $50,000.00.
The Commission further VOTED: to approve Contract No. P96-1852-D4A, for Engineering Services Contract - to evaluate integrity of rinks roofs, to Barnes and Jarnis, Inc., at a cost of $25,000.00.
The Commission further VOTED: to approve Equipment Rentals - by Central Services for the removal of snow throughout the Parkway System during the repeated storms - at a cost of $206,989.25.
The Commission further VOTED: to approve Scissor Lift Rentals - by Engineering and Construction Division to inspect and repair roof structures, at an Estimated Cost of $4,000.00.

1. Report of Messrs. Faucher and Sacco, January 29, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P92-1646-C3A, for Installation of Traffic Semaphore Gates, Beades Drawbridge, Dorchester.
Estimated Cost - $50,000.00.
Time for Performance - three months.
Account No. 2490-8911.
The Commission VOTED: Approved.
The Commission further VOTED: authorization to advertise Project No. P92-1646-C3A, for Installation of Traffic Semaphore Gates, Beades Drawbridge, Dorchester.

Action was taken upon the following matters relating to the Watershed Management Division:

2. Report of Messrs. McGinn and Kane, January 31, requesting approval of Contract No. WM96-0138-X1A, with Earth Tech for Compliance and Site Assessment Services.
Time for Performance - six months form Notice to Proceed.
Cost - $4,725.00.
Account No. 2420-1400.
The Commission VOTED: Approved.

Action was taken upon the following matters relating to the Office of Real Property:

1. Report of Mr. Gray, February 2, recommending that the Commission adopt an Order of Taking for acquisition of approximately 1.84 acres of land owned by Charles R. Hicks, et ux, located in the Town of West Boylston, Massachusetts, and to approve an award of damages in the amount of $8,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936.
   The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 1.84 acres of land owned by Charles R. Hicks, et ux, located in the Town of West Boylston, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, February 8, 1996.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of West Boylston in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land in the northwesterly part of West Boylston lying off of the northerly side of Laurel Street near its intersection with Raymond Huntington Highway, more particularly bounded and described as follows:

Beginning at a drill hole found at a corner of stone walls, at the southeasterly corner of the parcel herein being described, at its intersection with three other lots, now or formerly, owned by the Katherine P. Hart Trust, by Gary M. Erickson and Dianne E. Erickson, and by Katherine Kristoff;

Thence S. 87° 22′ 39" W., by the stone wall and land, now or formerly, of Kristoff, to a drill hole set in the wall at the remaining land, now or formerly, of C.R. & L.D. Hicks;

Thence N. 15° 53′ 37" W., 544.43 feet by the remaining land, now or formerly, of Hicks, to an iron rod set at a point on the southerly line of land, now or formerly of Wachusett Development Corporation;

Thence S. 85° 03′ 58" E., 160.49 feet by land, now or formerly, of Wachusett Development Corp., to a concrete bound set in a pile of stones found at land, now or formerly, of the Hart Trust;

Thence S. 15° 53′ 37" E., 522.74 feet, by land, now or formerly, of the Hart Trust, to the drill hole first mentioned being the point and place of beginning.

Containing 80,038 square feet, or 1.84 acres as shown upon a plan entitled "Commonwealth of Massachusetts, Metropolitan District Commission, Division of Watershed Management, West Boylston (Worcester County) MA., Land Taking Plan For Watershed Protection", dated June 30, 1995 and prepared by Greenman-Pedersen, Inc., which plan shall be recorded with Worcester District Registry of Deeds, at a later date, and made a part of this instrument.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and being the easternmost portion of same premises described in a deed from John R. Heighton to Charles R. Hicks and Leslie D. Hicks, dated October 8, 1993 and recorded with Worcester District Registry of Deeds at Book 15,645, Page 244.

The above described property is represented upon West Boylston Assessors Tax Map 120 as a portion of Parcel 10.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
Charles R. Hicks Leslie D. Hicks	$ 8,000.00

The Commission further VOTED: to approve an award of damages in the amount of $8,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

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1. Report of Mr. Gray, February 2, recommending that the Commission adopt an Order of Taking for acquisition of approximately 30.29 acres of land owned by Chester E. Peterson, located in the Town of West Boylston, Massachusetts, and to approve an award of damages in the amount of $45,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936.
The Commission VOTED: to adopt an Order of Taking for acquisition of approximately 30.29 acres of land owned by Chester E. Peterson, located in the Town of West Boylston, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, February 8, 1996.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of West Boylston in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying in the northwesterly part of West Boylston northwest of and off of Laurel Street and Raymond Huntington Highway, more particularly bounded and described as follows:

Beginning at a drill hole set at a corner of stone walls, at the southernmost point of the parcel being described herein, said point lying approximately 2300 feet northerly of the intersection of Laurel Street and Raymond Huntington Highway, at land, now or formerly, of the Katherine P. Hart Trust, and of David P. & John D. Mercurio;

Thence N. 63° 08′ 06" W., by the stone wall and land, now or formerly, of the Hart Trust, 164.12 feet to another drill hole set at a point, at land, now or formerly, of Preston W. & Rosemany C. Hall;

Thence On the same bearing and still by the wall and land, now or formerly, of Hall, 130.29 feet to a drill hole set at an angle in the wall;

Thence N. 34° 21′ 59" W., by the wall and land, now or formerly, of Hall, to an iron rod set in a corner of the wall, at land of the Commonwealth of Massachusetts, Division of Fisheries & Wildlife;

Thence N. 06° 15′ 11" W. 310.60 feet to a tree with barbed wire remains attached;

Thence N. 09° 59′ 32" W., 385.30 feet to a pile of stones found;

Thence N. 03° 49′ 20" W., 339.80 feet running through another pile of stones and continuing to a blazed tree with Massachusetts Fisheries & Game Boundry sign attached;

Thence N. 82° 22′ 47" W., following the tree line, 254.65 feet to a concrete bound set in a pile of stones found at land, now or formerly, of Louy H. Turner, the last four courses being by land of the Commonwealth;

Thence N. 01° 46′ 40" E. by the tree line and land, now or formerly, of Turner, 745.81 feet to an iron rod set in a pile of stones found at a corner, and land, now or formerly, of Nathaniel A. & Ellen B. Nash;

Thence S. 86° 56′ 06" E., by the tree line and land, now or formerly, of Nash, 823.25 feet to a concrete bound set at a corner and land, now or formerly, of David P. & John D. Mercurio;

Thence S. 00° 23′ 08" E. 1806.24 feet to a point at the northerly end of a stone wall;

Thence S. 01° 59′ 56" W., by the wall, 389.86 feet to the drill hole first mentioned being the point and place of beginning, the last two courses being by land, now or formerly, of Mercurio;

Containing 1,319,485 square feet, or 30.29 acres, as shown upon a plan entitled " Commonwealth Of Massachusetts, Metropolitan District Commission, Division Of Watershed Management, West Boylston (Worcester County) MA., Land Taking Plan For Watershed Protection", dated June 30, 1995, and prepared by Greenman-Pedersen Inc., which plan shall be recorded with Worcester District Registry of Deeds, at a later date, and made a part of this instrument.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and being the same premises described in a deed from Arvid Peterson to Chester E. Peterson, dated October 11, 1974 and recorded with Worcester District Registry of Deeds at Book 5612, Page 90.

The above described property is represented upon West Boylston Assessors Tax Map 106 as Parcel 4.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Chester E. Peterson	$ 45,000.00

The Commission further VOTED: to approve an award of damages in the amount of $45,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

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Record of the Three Thousand Seven Hundred and Fifty Ninth (3759th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, January 25, 1996 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Settles and Wu.

The Records of the Commission Meeting held on January 4, 1996 were read and approved.

The Commissioner and Associate Commissioners unanimously adopted the following Resolution:

RESOLUTION

1. RESOLVED: That the Metropolitan District Commission, assembled in its Meeting held on January 25, 1996, does hereby express its deep and sincere appreciation to George E. Bertini, Jr., of the Engineering and Construction Division, for his more than forty-six years of professional, productive service with the Commission and for the example he has set as a conscientious and dedicated public servant; that he will be missed by his many friends and co-workers; that the Commissioner and Associate Commissioners, constituting said Metropolitan District Commission, do hereby extend to him their cordial best wishes that the years of his retirement may by many, and that they may be fruitful in the happiness and contentment he so richly deserves; that this Resolution be spread upon the records of this Meeting; and that the Secretary prepare and forward a suitably inscribed copy thereof to Mr. Bertini.

The Secretary then submitted for signature the following papers which were signed by the Commissioner and four Associate Commissioners:

2. Contract No. P96-1847-C1A, dated January 25, 1996, with Mystic Scenic Studios, Inc., for MDC 1996 Flower Show Exhibit.

3. Amendment, dated January 25, 1996, to Contract-Agreement No. P94-1741-M1A, with Brewster Electric Co., Inc., for Maintenance of Mechanical/Electrical Systems of the General Edwards Bridge, Revere/Lynn.

4. Contract No. P96-1836-M1A, dated January 25, 1996, with Coviello Electric and General Contracting Co., Inc., for Servicing Traffic Signal and Control Systems, Old Colony and Blue Hills Districts.

5. Contract No. P96-1837-M1A, dated January 25, 1996, with Coviello Electric and General Contracting Co., Inc., for Servicing Traffic Signal and Control Systems, Middlesex Fells and Revere Beach Districts.

6. Contract No. P96-1838-M1A, dated January 25, 1996, with Coviello Electric and General Contracting Co., Inc., for Servicing Traffic Signal and Control Systems, Charles River Basin Districts.

1. Amendment, dated January 25, 1996, to Contract-Agreement No. P95-1764-S1A, with Gerard S. Parker, for Lead Paint Safety Protocols.

Action was taken upon the following matters relating to the Engineering and Construction Division:

2. Report of Messrs. Faucher and McCalla, January 17, recommending approval of revisions in quantities on the following items on Contract No. P94-1706-M1A, with Penachio Brothers Electrical Corp., for Maintenance of Street Lighting Systems on Parkways and Roadways of the MDC -

Item No. 001-010 Street Light Knockdown - Metal	**$ 3,500.00**
Item No. 002-010 Street Light Knockdown - Aluminum	**$ 2,100.00**
Item No. 004-010 Street Light Knockdown - Concrete	**$ 750.00**
Item No. 036-010 High Pressure Sodium Lamp 250W	**$ 465.00**
Item No. 038-010 High Pressure Sodium Lamp 150W	**$ 255.50**
Item No. 070-010 Hourly Rate Elec. Helper	**$13,650.00**
Item No. 073-010 Records, Reports and Clerical Work	**$ 146.00**
Item No. 074-010 Storage Area	**$ 209.00**
Item No. 075-010 Materials, Components and Parts	**$24,784.50**
Total -	**$45,860.00**

(At no increase in Contract cost as the revisions will be offset by unused quantities in Item Nos. 014-010, 018-010, 022-010, 023-010, 024-010, 029-010, 030-010, 031-010, 032-010, 033-010, 037-010, 042-010, 049-010, 050-010, 053-010, 054-010, 056-010, 059-010 and 069-010).
The Commission VOTED: Approved.

3. Report of Mr. Faucher and Ms. Pomorska, January 8, recommending approval of the following on Contract No. P95-1758-C1A, with Coviello Electric and General Contracting Co., Inc., for Construction of Traffic Signals on Ocean Avenue, at the Intersection of Beach Street, Revere -

Revision in Quantities
Item No. 012-010 - Electric Handhold - $375.00
Extra Work Order No. 1 - Removal & Disposal Cement Concrete Foundation - $300.00
Extension of Time from January 31, 1996 to June 1, 1996.
(At no increase in Contract cost as the Extra Work Order and Revision will be offset by unused quantities in Item No. 005-010 - Three Inch Galvanized Steel Conduit).
The Commission VOTED: to approve the Revision in Quantities, in the amount of $375.00.
The Commission further VOTED: to approve Extra Work Order No. 1, in the amount of $300.00.

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The Commission further VOTED: to approve an extension of time from January 31, 1996 to June 1, 1996, as recommended by Mr. Faucher and Ms. Pomorska in their report of January 8, 1996, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

1. Report of Messrs. Faucher and Mayhew, December 1, 1995, recommending the following on Contract No. P95-1805-C1B, with G.V.W., Inc., for Installation of New Dasher Boards at the William F. Devine Rink, Dorchester -

(a) That work be accepted as complete as of November 11, 1995.
(b) That Estimate No. 2 (Final), in the amount of $23,436.42, be approved for payment.
(c) That reserve, in the amount of $7,690.25, be approved for payment.

(Basis of Award - $141,435.00)
(Amount to Date - $153,804.92)
(Contract Performance Rating - 3.80)
(EEO Compliance - 3.00)

The Commission VOTED: that the work of G.V.W., Inc., Contractor under Contract No. P95-1805-C1B, be and hereby is accepted as completed as of November 11, 1995.
The Commission further VOTED: to approve Estimate No. 2 (Final), in the amount of $23,436.42, for payment.
The Commission further VOTED: to approve release of reserve, in the amount of $7,690.25, for payment.

2. Report of Messrs. Faucher and Thurlow, December 14, 1995, recommending the following on Contract No. P92-1628-C4A, with Northern Tree Service, Inc., for Landscape Improvements to Parkways -

(a) That work be accepted as complete as of November 30, 1995.
(b) That Estimate No. 6 (Final), in the amount of $27,768.50, be approved for payment.
(c) That reserve, in the amount of $15,993.25, be approved for payment.

(Basis of Award - $304,500.00)
(Amount to Date - $319,865.00)
(Contract Performance Rating - 4.00)
(EEO Compliance - 3.80)

The Commission VOTED: that the work of Northern Tree Service, Inc., Contractor under Contract No. P92-1628-C4A, be and hereby is accepted as completed as of November 30, 1995.
The Commission further VOTED: to approve Estimate No. 6 (Final), in the amount of $27,768.50, for payment.
The Commission further VOTED: to approve release of reserve, in the amount of $15,993.25, for payment.

3. Report of Messrs. Faucher and Thurlow, December 29, 1995, recommending the following on Contract No. P95-1794-C1A, with Foye & Letendre Landscaping, Inc., for Landscape Improvements, MDC Properties -

(a) That work be accepted as complete as of November 30, 1995.
(b) That Estimate No. 4 (Final), in the amount of $27,826.82, be approved for payment.

(c) That reserve, in the amount of $12,383.45, be approved for payment.

(Basis of Award - $236,744.00)
(Amount to Date - $247,668.95)
(Contract Performance Rating - 4.30)
(EEO Compliance - 3.40)

The Commission V O T E D: that the work of Foye & Letendre Landscaping, Inc., Contractor under Contract No. P95-1794-C1A, be and hereby is accepted as completed as of November 30, 1995.
The Commission further V O T E D: to approve Estimate No. 4 (Final), in the amount of $27,826.82, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $12,383.45, for payment.

Action was taken upon the following Various Matter:

1. Report of Mr. Jewett, January 12, on behalf of the Consultant Selection Committee, requesting selection of HNTB Corporation, for Dorchester Shores West Link Project.
Contract No. P95-1807-D1A.
Contract cost - $200,000.00 - subject to negotiation.
Time for Performance - twelve months.
Account No. 2440-8956.
The Commission V O T E D: Approved.

Action was taken upon the following matters relating to the Office of Real Property:

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1. Report of Mr. Gray, January 22, recommending that the Commission adopt an Order of Taking for acquisition of approximately 5.1 acres of land owned by Katherine Kristoff, located in the Town of West Boylston, Massachusetts, and to approve an award of damages in the amount of $50,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936.
The Commission VOTED: to adopt an Order of Taking for acquisition of approximately 5.1 acres of land owned by Katherine Kristoff, located in the Town of West Boylston, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, January 25, 1996.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of West Boylston in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying in the northwesterly part of West Boylston on the northwesterly side of Raymond Huntington Highway, near its intersection with Laurel Street, running to the West Boylston-Holden Town Line, more particularly bounded and described, as follows:

Beginning at a drill hole set at a corner of stone walls, at a point on the Town Line between West Boylston and Holden, at land now or formerly of Charles R. & Leslie D. Hicks (in Holden) and land formerly of John R. Heighton, now or formerly, of the aforesaid Hicks (in West Boylston) being the northwesterly corner of the parcel herein being described;

Thence S. 79° 21′ 24" E., by the stone wall and land, now or formerly, of Hicks, 366.98 feet to a drill hole found at a corner of stone walls, at land formerly of Katherine P. Hart, now or formerly, of the Katherine P. Hart Trust, and at land formerly of Raymond J. & Janet B. Sansoucy, now or formerly, of Gary M. Erickson and Dianne E. Erickson;

Thence S. 17° 35′ 28" E., by and through the stone wall 554.51 feet to a point;

Thence N. 63° 24′ 32" E. 17.90 feet to a point;

Thence S. 26° 38′ 29" E. 102.24 feet to a concrete bound found on the northerly layout line of Raymond Huntington Highway, the last three courses being by land, now or formerly, of Erickson;

Thence Southwesterly along the layout line of Raymond Huntington Highway, by a curve with a radius of 5250.00 feet, an arc distance of 291.74 feet to a point at land formerly of Katherine Kristoff, now or formerly, of Melinda A. Cranston & Barry M. Esteves, shown as "Lot 1" on the plan referenced at the conclusion of this description;

Thence N. 09° 10′ 10" W., 253.97 feet to a point at or near the southerly edge of a driveway right of way as shown upon the referenced plan;

Thence N. 34° 05′ 54" E., 355.88 feet to a drill hole set at or near the end of a stone wall, at land, now or formerly, of Robert Scott, the last two courses being by "Lot 1", land, now or formerly, of Cranston & Esteves;

Thence N. 67° 49′ 48" W., by the stone wall and land, now or formerly, of Scott, 225.24 feet to a drill hole set in a corner of stone walls at a point on the West Boylston-Holden Town Line, at land (in Holden), now or formerly, of the aforesaid Hicks;

Thence N. 01° 14′ 07" E., by the stone wall, the Town Line, and land, now or formerly, of Hicks, 300.76 feet to the first mentioned drill hole set at the northwesterly corner, being the point and place of beginning.

Containing 5.10 acres, more or less, as shown as Lot 2 upon a plan entitled "PLAN OF LAND IN WEST BOYLSTON, MASSACHUSETTS, OWNED BY KATHERINE KRISTOFF", dated November 30, 1988, and prepared by Joseph J. Tauper, R.L.S., which plan is recorded with Worcester District Registry of Deeds as Plan 12 in Plan Book 645.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Raymond Huntington Highway which may be held by the supposed owner, and being all of the remaining portion the same premises currently held by the supposed owner as described in a deed from John W. Skantz to Katherine Kristoff, dated December 20, 1986 and recorded with Worcester District Registry of Deeds at Book 10116, Page 285.

The above described property is represented upon West Boylston Assessors Tax Map 120 as Parcel 8.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Katherine Kristoff	$ 50,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $50,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

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1. Report of Mr. Gray, January 22, recommending that the Commission adopt an Order of Taking for acquisition of approximately 0.61 acres of land owned by Veneda C. Atchue, located in the Town of West Boylston, Massachusetts, and to approve an award of damages in the amount of $17,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 0.61 acres of land owned by Veneda C. Atchue, located in the Town of West Boylston, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, January 25, 1996.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of West Boylston in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying on the northeasterly side of Temple Street-Route 140, near its intersection with Pinewood Drive, more particularly bounded and described as follows:

Beginning at an iron pipe set on the northerly line of Temple Street-Route 140 at a point at land, now or formerly, of Rosella T. Knipe, said point lying 67.13 feet S. 43° 26′ 05" E. of a Worcester County Highway bound at Station 6 + 27.49, as shown on the 1938 County Road Layout on Plan H-2613-R, Sheet 2 of 4 as recorded with Worcester District Registry of Deeds, as Plan 58 in Plan Book 102;

Thence N. 32° 45′ 55" E., 150.84 feet, by land, now or formerly, of Knipe, to an iron pipe set at a corner and land, now or formerly, of the Matera Family Trust, A. Matera & L. Bucci, Trustees;

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Thence S. 42° 10′ 08" E., 76.94 feet, by land, now or formerly, of the Matera Family Trust, to an iron pipe set at a corner, and land, now or formerly, of William G. & Joyce M. Coulter;

Thence S. 23° 08′ 50" E., 178.38 feet, by land, now or formerly, of Coulter, to a point at land of the Commonwealth of Massachusetts, Metropolitan District Commission, formerly of George A. Flagg;

Thence S. 61° 26′ 55" W., 85.79 feet, by land of the Commonwealth, to an iron pipe on the northerly line of Temple Street-Route 140;

Thence N. 43° 26′ 05" W., 186.22 feet, along the northerly line of the highway, to the point and place of beginning.

Containing 26,697 square feet, in total, 25,964 square feet of land, more or less, being Lot #15, and 743 square feet, being a portion of Lot #11, as shown on a plan entitled "Subdivision and Prop. Street On Land Belonging To Oliver J. Wendela, West Boylston, Massachusetts", dated July 6, 1953, which plan is recorded with Worcester District Registry of Deeds as Plan 107 in Plan Book 191.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Temple Street-Route 140 which may be held by the supposed owners, and being the same premises described in a deed from Oliver J. Wendela to Francis E. Atchue and Veneda C. Atchue, dated February 2, 1959 and recorded with Worcester District Registry of Deeds in Book 4004, Page 268.

The above described property is represented upon West Boylston Assessors Tax Map 160 as Parcel 17.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
Veneda C. Atchue	$ 17,000.00

The Commission further VOTED: to approve an award of damages in the amount of $17,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

The following matter was placed on the agenda for the information of the Commission:

1. The following schedules were approved for payment by the Commissioner during the period from November 1, 1995 to November 30, 1995.

Expenditures	$5,394,845.87

Adjourned at 9:50 a.m., to meet on Thursday, February 1, 1996, at 9:00 a.m.

Secretary

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Record of the Three Thousand Seven Hundred and Sixtieth (3760th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, February 1, 1996 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort and Wu.

The Records of the Commission Meeting held on January 18, 1996 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher and Martinez, December 5, 1995, recommending the following on Contract No. P95-1809-C1A, with Ace Construction Enterprises, for Water Service Line Replacement, Bajko Rink, Hyde Park -
(a) That work be accepted as completed as of October 10, 1995.
(b) That Estimate No. 1 (Final), in the amount of $16,263.05, be approved for payment.
(c) That reserve, in the amount of $885.95, be approved for payment.
(Basis of Award - $14,875.00)
(Amount to Date - $17,119.00)
(Contract Performance Rating - 3.00)
(EEO Compliance - 4.50)
The Commission VOTED: that the work of Ace Construction Enterprises, Contractor under Contract No. P95-1809-C1A, be and hereby is accepted as completed as of October 10, 1995.
The Commission further VOTED: to approve Estimate No. 1 (Final), in the amount of $16,263.05, for payment.
The Commission further VOTED: to approve release of reserve, in the amount of $885.95, for payment.

2. Report of Messrs. Faucher and Higgott, January 11, recommending the following on Contract No. P95-1793-C1A, with G.V.W., Inc., for Removal and Replacement of Shade Shelters and Benches on Day Boulevard, South Boston -
(a) That work be accepted as completed as of August 31, 1995.
(b) That Estimate No. 3F (Final), in the amount of $3,758.93, be approved for payment.
(c) That reserve, in the amount of $8,192.62, be approved for payment.
(Basis of Award - $168,680.00)
(Amount to Date - $163,852.27)
(Contract Performance Rating - 4.33)
(EEO Compliance - 3.00)
The Commission VOTED: that the work of G.V.W., Inc., Contractor under Contract No. P95-1793-C1A, be and hereby is accepted as completed as of August 31, 1995.
The Commission further VOTED: to approve Estimate No. 3F (Final), in the amount of $3,758.93, for payment.
The Commission further VOTED: to approve release of reserve, in the amount of $8,192.62, be approved for payment.

1. Report of Mr. Gray, February 2, recommending that the Commission adopt an Order of Taking for acquisition of approximately 25.183 acres of land owned by Elizabeth B. Naroian, located in the Town of West Boylston, Massachusetts, and to approve an award of damages in the amount of $400,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936.
The Commission VOTED: to adopt an Order of Taking for acquisition of approximately 25.183 acres of land owned by Elizabeth B. Naroian, located in the Town of West Boylston, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, February 8, 1996.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of West Boylston in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying on the northwesterly side of Hosmer Street, between Hosmer Street and Raymond Huntington Highway - Interstate 190, in the said Town of West Boylston and County of Worcester, more particularly bounded and described as follows:

Beginning at a granite monument on the northwesterly side line of Hosmer Street, at its intersection with the southwesterly line of a proposed subdivision street identified as Hampshire Drive, being at the cut corner of a lot, now or formerly, of Elizabeth Naroian, said point lying across Hosmer Street from property, now or formerly of Paul A. & Maureen J. Marrone, identified as # 20 Hosmer Street;

Thence Northwesterly by a curve with a radius of 20.00 feet, an arc distance of 29.68 feet, to another granite monument set;

Thence N. 54° 30′ 15" W., by "Hampshire Drive", 270.00 feet, to a point;

Thence S. 35° 29′ 45" W., 153.26 feet, to a corner, at land, now or formerly, of Michael & Paula Grandpre Wood, the last three courses being by other land, now or formerly of Naroian;

Thence On the same bearing, 344.27 feet, to an iron pipe in a stone wall, at land, now or formerly, of Joseph R. & Ruth H. Antonio, this course being by land, now or formerly, of Wood;

Thence N. 65° 09′ 23" W., by the stone wall, and land, now or formerly, of Antonio, 69.93 feet, to a drill hole found at land, now or formerly, of Albert R. & Kathleen A. Bavosi;

Thence N. 67° 04′ 28" W., by the wall, 559.56 feet, to a stake with nail set at the intersection with another wall, and at land, now or formerly, of Norman W. Goodale, this course being by land, now or formerly, of A.R.& K.A. Bavosi, of Scott W. Antonio, and of William A. & Jean A. Jose;

Thence N. 10° 42′ 41" W., by the wall, 63.49 feet, to a corner;

Thence N. 61° 17′ 03" E., by the wall, 7.74 feet, to another corner;

Thence N. 11° 26′ 47" W., by the wall, 800.40 feet, to a point on a chain link fence, at land of the Commonwealth of Massachusetts - Interstate 190, the last three courses being by land, now or formerly, of N. W. Goodale;

Thence N. 37° 13′ 39" E., by the fence, 133.39 feet, to a Massachusetts Highway bound found;

Thence N. 71° 06′ 24" E., by the fence, 771.49 feet, to a point on an intersecting stone wall, at land, now or formerly, of Nathan L. & Lelia P. Beardsley, the last three courses being by land of the Commonwealth - I-190;

Thence S. 14° 49′ 50" E., by the wall, 439.19 feet, to a drill hole set at an angle in the wall;

Thence S. 49° 53′ 03" E., by the wall, 274.54 feet, to a drill hole set at the juncture with another wall, and land, now or formerly, of Albert G. & Barbara M. Deschenes, the last two courses being by land, now or formerly, of N.L. & L.P. Beardsley;

Thence S. 26° 55′ 19" W., by the wall, 340.41 feet, to a drill hole set at the end of the wall, at a corner, this course being by land, now or formerly, of A.G. & B.M. Deschenes, and of Oliver A. Pierce;

Thence S. 48° 51′ 09" E., 134.82 feet to a point at other land, now or formerly of Naroian, this course being by land, now or formerly, of O.A. Pierce;

Thence S. 35° 29′ 45" W., by other land, now or formerly, of Naroian, 176.55 feet, to a point on the northeasterly line of the proposed subdivision street known as Hampshire Drive;

Thence S. 54° 30′ 15" E., by the proposed street, 257.00 feet, to a granite bound set;

Thence Northeasterly by a curve with a radius of 20.00 feet, an arc distance of 31.88 feet, to another granite bound set on the northwesterly line of Hosmer street, the last two courses being by other land, now or formerly, of Naroian;

Thence S. 32° 06′ 55" W., by the line of Hosmer Street, 88.88 feet, to the first mentioned granite bound, being the point and place of beginning.

Containing 25.183 acres, in total, as shown as Lots 1-16, and the Hampshire Drive Layout, upon a two sheet set of plans entitled "Definitive Plan - Hampshire Acres - West Boylston, Massachusetts", dated May 3, 1989 and last revised February 6, 1990, drawn by Bouley Brothers Inc., 585 Lincoln Street, Worcester MA., and recorded with the Worcester District Registry of Deeds as Plan 79 in Plan Book 636.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Hosmer Street which may be held by the supposed owner, and being most of the same premises described in a deed from Albert Francis Scales, Executor under the Will of Annie Scales, to Arakel R. Naroian, dated August 5, 1977 and recorded with Worcester District Registry of Deeds at Book 6266, Page 113. The above described premises demised to the current owner under the Will of Arakel R. Naroian, Worcester County Probate No. 286195.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Elizabeth B. Naroian	$ 400,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $400,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

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1. Report of Mr. Gray, February 2, recommending that the Commission adopt an Order of Taking for acquisition of approximately 6.09 acres of land owned by Nathan Schwartz, located in the Town of Sterling, Massachusetts, and to approve an award of damages in the amount of $11,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 6.09 acres of land owned by Nathan Schwartz, located in the Town of Sterling, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, February 8, 1996.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Sterling in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying on the southeasterly side of Worcester Road - Route 12, south of Sterling Center, more particularly bounded and described as follows:

Beginning at a point in the northeast line of land, formerly of Willie R. Mitchell, now of the Commonwealth of Massachusetts, Metropolitan District Commission, and at land, now or formerly, of the Town of Sterling Department of Public works, said point lying approximately 86 feet northwesterly of the westerly line of the former railbed of the Fitchburg & Worcester Railroad;

Thence N. 29° 38′ W., about 285 feet, by land, now or formerly, of the said Town, to a point on the southeasterly line of Worcester Road;

Thence Northeasterly, by the highway, about 530 feet, to a point;

Thence Northeasterly, still by the highway, about 385 feet, to a point at land, formerly of Henry J. Szymkiewicz, now of the Commonwealth of Massachusetts, Metropolitan District Commission;

Thence S. 41° 28′ E., about 350 feet, by land of the Commonwealth, and by land, now or formerly, of the Town of Sterling to a point on the westerly line of the former railbed of the Fitchburg & Worcester Railroad, lately property of Albert H. Suprenant, but now of the Commonwealth of Massachusetts, Metropolitan District Commission;

Thence S. 48° 32′ W., about 675.10 feet, by the northwesterly line of the former railbed, to a point at land, now or fromerly, of the Town of Sterling;

Thence Northwesterly, about 99 feet, by land, now or formerly, of the said Town, to a point at a corner;

Thence S. 45° 32′ W., 280 feet, by land. now or formerly, of the Town, and land of the Commonwealth, to the point and place of beginning.

Excepting from the above described property any and all land taken in fee by the State Highway Commission of the Department of Public Works, Commonwealth of Massachusetts, for the reconstruction and rebuilding of Worcester Road as described in an Order of Taking, Layout No. 3057, recorded with Worcester District Registry of Deeds on November 27, 1933 in Book 2596, Page 501, and as shown upon the accompanying plan recorded as Plan 3 in Plan Book 77.

Also excepting a parcel of land containing 31,826 square feet conveyed, from the above described parcel, to Carl D. Corrine, Trustee of Tetco Realty Trust, by Nathan Schwartz in an instrument recorded with said Deeds on April 11, 1985 in Book 8650, Page 340 and shown upon a plan prepared by De Falco Engineering recorded as Plan 19 in Plan Book 533.

Containing by estimate 6.09 acres, more or less.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Worcester Road - Route 12 which may be held by the supposed owner, and being the larger and remaining portion of the same premises described in a deed from Nelson H. Wheeler and Ruth V. Tatro to Nathan Schwartz, dated November 30, 1961 and recorded with Worcester District Registry of Deeds at Book 4247, Page 440.

The above described property is represented upon Sterling Assessors Tax Map 13 as Parcel 17-1.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Nathan Schwartz	$ 11,000.00

The Commission further VOTED: to approve an award of damages in the amount of $11,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

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1. Report of Mr. Gray, February 2, recommending that the Commission adopt an Order of Taking for acquisition of approximately 7.646 acres of land owned by Gustaf F. Sorblom, located in the Town of Princeton, Massachusetts, and to approve an award of damages in the amount of $11,500.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 7.646 acres of land owned by Gustaf F. Sorblom, located in the Town of Princeton, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, February 8, 1996.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Princeton in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of intervale land situated in the easterly part of Princeton and north of the County road leading to Sterling, now known as Redemption Rock Trail-Route 140, and astride East Wachusett Brook, more particularly bounded and described as follows:

Beginning at the southwesterly corner of the parcel herein being described, at a concrete MDC bound set to replace an iron pin, at a point on the northerly line of property, now or formerly, of Raymond J. & Nancy A. Cormier, and on a southeasterly line of the adjoining property, formerly of Tenney Farm Inc., now of the Commonwealth of Massachusetts, Metropolitan District Commission;

Thence N. 20° 42′ 30" E., 650.00 feet, by land formerly of Tenney Farm Inc., to a point on the northerly bank of East Wachusett Brook, and other land of the Commonwealth of Massachusetts, Metropolitan

District Commission, formerly of Roger Fallavollita;

Thence N. 17° 01′ 20" E., 427.56 feet, to a ring of stones found;

Thence S. 40° 37′ 43" E., 298.73 feet, by the remains of a barbed wire fence, to a point, the last two courses being by land, formerly of Fallavollita, now of the Commonwealth of Massachusetts, MDC;

Thence S. 01° 37′ 43" E., 721.93 feet, by land formerly of Fallavollita, crossing East Wachusett Brook, and continuing by land, now or formerly, of Donald R. Mathieu, to an MDC concrete bound set at a point on the northerly line of land, now or formerly, of Robert I. & Maris P. Sherblom;

Thence S. 84° 38′ 11" W., 213.41 feet, by land, now or formerly, of Sherblom, to a point at land, now or formerly of the aforesaid Cormier;

Thence On the same bearing, 260.00 feet, to an iron pin found;

Thence S. 76° 12′ 30" W., 101.64 feet, to the first mentioned concrete bound, being the point and place of beginning, the last two courses being by land, now or formerly, of Cormier.

Containing 333,066 square feet, or 7.646 acres as shown upon a survey plan entitled "Commonwealth Of Massachusetts Metropolitan District Commission Division of Watershed Management Princeton (Worcester County) MA Land Taking Plan For Watershed Protection ", dated June 30, 1995 and prepared by Ainsworth Associates, Inc., which plan shall be recorded with Worcester District Registry of Deeds, at a later date, and be made a part of this order. See also Plan 23 in Plan Book 530.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in East Wachusett Brook which may be held by the supposed owners, as a result of his ownership of the above described property, and being the same premises described as Parcel 1 in a deed from Harley K. Grund to Gustaf P. Sorblom, dated June 16, 1978 and recorded with Worcester District Registry of Deeds at Book 10801, Page 17.

The above described property is represented upon Princeton Assessors Tax Map 14 as Parcel 20A.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Gustaf P. Sorblom	$ 11,500.00

The Commission further VOTED: to approve an award of damages in the amount of $11,500.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

Action was taken upon the following Various Matter:

Report of Miss Overton and Mr. Jewett, February 8, requesting authorization for Commissioner Balfour to execute, on behalf of the Commission, Contract No. P95-1763-X1A, with Weston and Sampson Engineers, Inc., for the Services of a Licensed Site Professional to Oversee the Assessment and Clean-Up of as Many Priority Sites as Funds Will Allow.
The Commission VOTED: to authorize Commissioner Balfour to execute, on behalf of the Commission, Contract No. P95-1763-X1A, with Weston and Sampson Engineers, Inc., for the Services of a Licensed Site Professional to Oversee the Assessment and Clean-Up of as Many Priority Sites as Funds Will Allow, as requested by Miss Overton and Mr. Jewett in their report of February 8, 1996. Associate Commissioner Elkort did not participate in discussion nor vote on this matter.

Adjourned at 9:30 a.m., to meet on Thursday, February 15, 1996, at 9:00 a.m.

William F. Arnold
Secretary

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Record of the Three Thousand Seven Hundred and Sixty Second (3762nd) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, Februrary 15, 1996 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort and Wu.

The Records of the Commission Meeting held on February 1, 1996 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher and McCalla, February 7, on bids for Maintenance of Street Lighting Systems on Metropolitan District Commission Parkways, Roadways and Properties - two year contract. (Messrs. Faucher an McCalla recommend acceptance of the lowest corrected bid received, that of Boston Edison Company, of $449,466.67).
Account No. 2444-9001-NN FY/96. Funding for the other Fiscal Years is contingent upon sufficient funds being made available through the budgetary appropriation process).
Associate Commissioner Carr noting that the bid as submitted by Boston Edison Company contained a mathematical error which was corrected by the Division, questioned if the correction by the Engineering and Construction Division was permissible under terms of the Contract document. Mr. Jewett responded in the affirmative.
Associate Commissioner Carr then asked if there was a rule or regulation promulgated by the Massachusetts Department of Public Utilities which would prohibit award of the Contract to Boston Edison.
Mr. Jewett stated that he spoke to Catherine J. Keuthen, Assistant General Counsel for the Boston Edison Company concerning this matter and she responded by letter - as follows:

> 'I am writing in connection with Boston Edison Company's bid for maintenance of street lighting systems on MDC parkways, roadways and properties, Contract No. P96-1821-M1A. The purpose of this letter is to represent to the Metropolitan District Commission that there are no rules or regulations of the Department of Public Utilities which would prohibit Boston Edison Company from bidding on this public works project or from performing the work set forth in the bid proposal and contract. Please let me know if additional information is required, or if I can be of further assistance in this matter.
>
> Sincerely,
> /s/ Catherine Keuthen
> Assistant General Counsel
> BOSTON EDISON COMPANY'

The Commission VOTED: to accept the lowest corrected bid received, that of Boston Edison Company, of $449,466.67, as recommended by Messrs. Faucher and McCalla in their report of February 7, 1996.

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1. Report of Messrs. Faucher and Mayhew, January 25, recommending the following on Contract No. P96-1820-C1A, with Tar-Vel Roofing Co., for Installation of New Membrane Roofing Systems at the Francis L. Murphy Ice Skating Rink, South Boston -
(a) That work be accepted as completed as of November 21, 1995.
(b) That Estimate No. 2 (Final), in the amount of $7,607.10, be approved for payment.
(c) That reserve, in the amount of $4,200.37, be approved for payment.
(Basis of Award - $78,000.00)
(Amount to Date - $84,007.47)
(Contract Performance Rating - 4.67)
(EEO Compliance - 5.00)
The Commission VOTED: that the work of Tar-Vel Roofing Co., Contractor under Contract No. P96-1820-C1A, be and hereby is accepted as completed as of November 21, 1995.
The Commission further VOTED: to approve Estimate No. 2 (Final), in the amount of $7,607.10, for payment.
The Commission further VOTED: to approve release of reserve, in the amount of $4,200.37, for payment.

2. Report of Messrs. Faucher and Machado, February 5, recommending approval of a revision in quantity on Item No. 003-010 - Gravel Borrow, at a cost of $5,250.00, on Contract No. P95-1801-C1A, with T. L. Edwards, Inc., for Resurfacing of MDC Parkways at Various Locations Throughout the Metropolitan District.
Funding from Account No. 2440-8952.
The Commission VOTED: Approved.

3. Report of Messrs. Faucher and DeLuca, February 9, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P96-1841-C1A, for Rehabilitation of the Service Building and Replacement of the Filtration and Water Treatment Systems for the Main Diving Pools at the Boston (Lee) Pool.
Estimated Cost - $458,000.00.
Time for Performance - six months.
Account No. 2440-8952.
The Commission VOTED: Approved.
The Commission further VOTED: authorization to advertise Project No. P96-1841-C1A, for Rehabilitation of the Service Building and Replacement of the Filtration and Water Treatment Systems for the Main Diving Pools at the Boston (Lee) Pool.

3. Report of Messrs. Faucher, Sacco and DeLuca, February 9, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P96-1842-C1A, for Critical Repairs to MDC Swimming Pools and Service Buildings.
Estimated Cost - $500,000.00.
Time for Performance - twelve months.
Account No. 2440-8952.
The Commission VOTED: Approved.
The Commission further VOTED: authorization to advertise Project No. P96-1842-C1A, for Critical Repairs to MDC Swimming Pools and Service Buildings.

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Action was taken upon the following matter relating to the Office of Planning:

1. Report of Mrs.O'Brien, February 1, submitting for approval and authorization to advertise for consultant services, Project No. PL-95-038-D1A, for Chapter 21E Phase I - Initial Site Assessment and Phase II - Remediation New Charles River Basin/North Point Park Site.
Estimated Cost for Phase I -
Initial Site Assessment $75,000.00.
Account No. 2449-1002.
Phase I will determine the Phase II Remediation scope of work and cost. Phase II scope and cost will be negotiated with Phase I consultant.
Time for Performance -
Twenty four months coterminous with parkland design.
The Commission VOTED: Approved.
The Commission further VOTED: authorization to advertise for consultant services, Project No. PL-95-038-D1A, for Chapter 21E Phase I - Initial Site Assessment and Phase II - Remediation New Charles River Basin/North Point Park Site.

Action was taken upon the following matters relating to the Office of Real Property:

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1. Report of Mr. Gray, February 9, recommending that the Commission adopt an Order of Taking for acquisition of approximately 10.03 acres of land owned by Wachusett Development Corp., located in the Towns of West Boylston and Holden, Massachusetts, and to approve an award of damages in the amount of $15,100.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.
Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 10.03 acres of land owned by Wachusett Development Corp., located in the Towns of West Boylston and Holden, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, February 15, 1996.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Towns of West Boylston and Holden in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land known as the "Howe Lot" lying partially in the Town of Holden and partially in the Town of West Boylston northerly and off of Manning Street/Laurel Street, more particularly bounded and described as follows:

Beginning at a point on the West Boylston-Holden Corporate Boundry, said point lying N. 12° 51′ 44" W. 1511.65 feet from the Town Line Monument found on the northerly line of Laurel Street/ Manning Street, on the boundry line between the land herein being described and lands, now or formerly, of Charles R. & Leslie D. Hicks;

Thence N. 85° 03′ 58" W., entering Holden and running 772.09 feet, by land, now or formerly of C.R. & L.D. Hicks, to a pile of stones found at a corner,

and land, now or formerly, of Gordon R. & Marjorie M. Grant, and other lands, now or formerly, of the aforesaid Hicks;

Thence N. 18° 26’ 40" W., 399.30 feet to a concrete bound set at the northwesterly corner of the parcel being described;

Thence S. 86° 12’ 54" E., 807.85 feet to a point on the Town Line, and land, now or formerly, of Preston W. & Rosemary C. Hall;

Thence On the same bearing, entering West Boylston and running 320.00 feet by land, now or formerly, of P.W. & R.C. Hall, to an iron rod set at a point in a stone wall, at land, now or formerly, of the Katherine P. Hart Trust;

Thence S. 30° 35’ 22" E., by the stone wall, 44.43 feet to a drill hole set;

Thence S. 35° 03’ 52" E., by the wall, 62.08 feet to an iron rod set at the end of the wall;

Thence S. 15° 15’ 34" E., 337.56 feet to an iron rod set in a pile of stones found;

Thence N. 63° 39’ 01" W., 31.23 feet to a concrete bound set in a pile of stones found at land, now or formerly, of C.R. & L.D. Hicks, the last four courses being by land , now or formerly, of the K.P. Hart Trust;

Thence N. 85° 03’ 58" W., 169.40 feet to an iron rod set at a point;

Thence On the same bearing 189.77 feet to the first referenced point on the Holden-West Boylston Line, being the point and place of beginning, the last two courses being by land, now or formerly, of C.R. & L.D. Hicks.

Containing 437,022 square feer, or 10.03 acres as shown upon a plan entitled "Commonwealth of Massachusetts, Metropolitan District Commission, Division of Watershed Management, Holden/West Boylston (Worcester County) MA., Land Taking Plan For Watershed Protection", dated June 30, 1995, and prepared by Greenman-Pedersen, Inc., which plan shall be recorded with Worcester District Registry of Deeds, at a later time, and made a part of this instrument.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and being the same premises described in a deed from Herbert R. Sprague, acting as Administrator of the Estate of Frank E. Sprague (Worcester Probate Court No. 266589) to Wachusett Development Corporation, a Massachusetts Corporation, dated June 17, 1975 and recorded with Worcester District Registry of Deeds at Book 5778, Page 93.

The above described property is represented upon Holden Assessors Tax Map 45 as Parcel 1.01, and West Boylston Assessors Tax Map 120 as Parcel 11.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Wachusett Development Corporation	$ 15,100.00

The Commission further V O T E D: to approve an award of damages in the amount of $15,100.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

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1. Report of Mr. Gray, February 9, recommending that the Commission adopt an Order of Taking for acquisition of approximately 8.0 acres of land owned by Barbara M. Clements, located in the Town of Princeton, Massachusetts, and to approve an award of damages in the amount of $32,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 8.0 acres of land owned by Barbara M. Clements, located in the Town of Princeton, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, February 15, 1996.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Princeton in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying on the easterly side of the highway known as Route 140 - Redemption Rock Trail, northerly of its intersection with Hobbs Road, and astride a brook known as "Keyes Brook", more particularly bounded and described as follows:

Beginning at the northwesterly corner of the parcel herein being described, at a bound found on the easterly sideline of Route 140 - Redemption Rock Trail, at land, now or formerly, of one Beaman;

Thence Northerly, by land, now or formerly, of Beamen, 2 rods to a corner;

Thence	Turning to the right and running Easterly, still by land, now or formerly, of Beaman, 41 rods, more or less, to the remains of a stake and stones at an angle, at land of the Commonwealth of Massachusetts, formerly the Department of Natural Resources, now the Department of Environmental Management;
Thence	Again bearing to the right and running S. 43° 45′ E., by the state forest land, a distance of 13 rods to the remains of a stake and stones at an angle, at land, now or formerly, of one Vashorn;
Thence	S. 18° E., 20 rods, more or less, by land, now or formerly, of Vashorn, to a bound found at land, now or formerly, of one Hobbs;
Thence	Turning sharply to the right and running S. 88° W., by land, now or formerly, of Hobbs, about 36 rods to a point on the easterly line of Redemption Rock Trail - Route 140;
Thence	Turning to the right and running by the easterly line of the highway, N. 35° W., 32 rods, more or less, to the point and place of beginning at the northwesterly corner of the parcel described.

Containing by estimation an area of eight acres, more or less. There is no known record plan of the above described property.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in "Keyes Brook" and/or Redemption Rock Trail - Route 140 which may be held by the supposed owner, and being the same premises described in a deed from Franklin O. Sheard and Anita B. Sheard to Barbara M. Clements, dated October 27, 1979 and recorded with Worcester District Registry of Deeds at Book 6869, Page 345.

The above described property is represented upon Princeton Assessors Tax Map 5 as Parcel 13.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Barbara M. Clements	$32,000.00

The Commission further VOTED: to approve an award of damages in the amount of $32,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

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1. Report of Mr. Gray, February 9, recommending that the Commission adopt an Order of Taking for acquisition of approximately 0.95 acres of land owned by Esther A. McCoy, located in the Town of Hubbardston, Massachusetts, and to approve an award of damages in the amount of $35,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936.
The Commission V O T E D: to Order of Taking for acquisition of approximately 0.95 acres of land owned by Esther A. McCoy, located in the Town of Hubbardston, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, February 15, 1996.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Hubbardston in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land, with buildings thereon, lying on the southerly side of Williamsville Road, a Worcester County Highway, and on the westerly bank of the Burnshirt River, in said Town of Hubbardston and County of Worcester, more particularly bounded and described as follows:

Beginning at the northwesterly corner of the premises being described herein, at an iron pipe set at a point on the southerly layout line of Williamsville Road, a Worcester County Highway, at land formerly of Donato P. & Ida G. DiPaoli, now of the Commonwealth of Massachusetts;

Thence S. 38° 06′ W., 215.60 feet to an iron pipe set at the southwesterly corner;

Thence S. 29° 12′ E., 93.3 feet to an iron pipe on the westerly bank of the Burnshirt River;

Thence On the same bearing, a distance of 20.7 feet, more or less, to a point on the center line of the River;

Thence Northeasterly and upstream, by the center line of the River, 177 feet, more or less, to an iron pipe;

Thence Northeasterly and upstream, still by the center line of the River, to an iron pipe, on the southerly line of Williamsville Road at a point on the center line of the River, said pipe bearing N. 39° 30′ E. 251.1 feet from the last mentioned pipe within the River, the last five bounds being by land, formerly of the aforesaid DiPaoli, now of the Commonwealth;

Thence Westerly, by the southerly line of Williamsville Road 214.5 feet, more or less, to the first mentioned pipe, being the piont and place of beginning.

Containing 41,410 square feet, more or less, by earlier deed description.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Williamsville Road which may be held by the supposed owners, and being the same premises described in a deed from Paul E. Cormier to Cecil L. Mc Coy and Esther A. Mc Coy, dated May 18, 1982 and recorded with Worcester District Registry of Deeds at Book 7470, Page 338.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The above described premises are further identified by reference to Hubbardston Assessors Tax Maps. This parcel is represented as two contiguous Lots numbered 90 and 105, on Map 1.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sums:

OWNERS	AWARD
Esther A. McCoy	$35,000.00

The Commission further VOTED: to approve an award of damages in the amount of $35,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

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1. Report of Mr. Gray, February 9, recommending that the Commission adopt an Order of Taking for acquisition of approximately 1.99 acres of land owned by William A. Jose, et ux, located in the Town of West Boylston, Massachusetts, and to approve an award of damages in the amount of $47,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936.
The Commission VOTED: to adopt an Order of Taking for acquisition of approximately 1.99 acres of land owned by William A. Jose, et ux, located in the Town of West Boylston, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, February 15, 1996.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of West Boylston in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying on the northerly side of Laurel Street, at a point approximately five hundred and fifteen (515) feet westerly of its intersection with Hosmer Street, more particularly bounded and described as follows:

Beginning at an iron pipe set at a point on the northerly side of Laurel Street, at land, formerly of Alfred R. Bavosi & William M. Meritt, now or formerly, of Scott W. Antonio, said point being the southeasterly corner of the parcel herein described, and lying N. 77° 20′ 00" W., 132.00 feet from a Worcester County highway bound located at Station 37+22.78 on the 1958 Worcester County Highway, 50 foot wide, Layout of Laurel Street;

Thence N. 77° 20′ 00" W., 216.79 feet, by the northerly layout line of Laurel Street, to a point at a stone wall, at land, formerly of Lena F. Goodale, now or formerly, of Norman Goodale;

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Thence N. 01° 55′ 58" W., 370.30 feet, by the stone wall and land, now or formerly, of Goodale, to an oak hub set in a corner of stone walls, at land, now or formerly, of Elizabeth B. Naroian;

Thence S. 67° 03′ 49" E., 316.14 feet, by the stone wall and land, now or formerly, of Naroian, to another oak hub in the wall, at land, now or formerly, of Scott W. Antonio;

Thence S. 12° 40′ 00" W., 305.59 feet, by land, now or formerly, of Antonio, to the iron pipe first mentioned, being the point and place of beginning.

Containing 86,764 square feet, or 1.99 acres as shown upon a survey plan entitled "Land In West Boylston, Massachusetts Owned By Joseph R. Antonio", dated January 8, 1986 and prepared by George E. Smith, Jr. which plan is recorded with Worcester District Registry of Deeds as Plan 65 in Plan Book 549.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Laurel Street which may be held by the supposed owners, as a result of their ownership of the above described property, and being the same premises described in a deed from Joseph R. Antonio and Ruth H. Antonio to William A. Jose and Jean A. Jose, dated February 6, 1986 and recorded with Worcester District Registry of Deeds at Book 9260, Page 105.

The above described property is represented upon West Boylston Assessors Tax Map 119 as Parcel 50.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
William A. Jose and Jean A. Jose	$ 47,000.00

The Commission further VOTED: to approve an award of damages in the amount of $47,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, February 9, recommending that the Commission adopt an Order of Taking for acquisition of approximately 6.524 acres of land owned by Eon Kenneth Woods, et al, located in the Town of Princeton, Massachusetts, and to approve an award of damages in the amount of $80,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936.
The Commission VOTED: to adopt an Order of Taking for acquisition of approximately 6.524 acres of land owned by Eon Kenneth Woods, et al, located in the Town of Princeton, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, February 15, 1996.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying on the easterly side of the Holden-Princeton Road, otherwise called Coal Kiln Road, more particularly bounded and described as follows:

Beginning at the northwesterly corner of the parcel being described herein, at a concrete bound set at a point on the easterly line of Coal Kiln Road, at other land, now or formerly, of Eon Kenneth Woods;

Thence S. 57° 21′ 25" E. 400.00 feet to a concrete bound set;

Thence On the same bearing and crossing Governor Brook 122.26 feet to a point at land formerly of Davis, now of the Commonwealth of Massachusetts, the last two courses being by other land, now or formerly, of Woods;

Thence S. 06° 25′ 32" E. 630.13 feet, by land of the Commonwealth, to a point on the Corporate Boundry between the Towns of Princeton and Holden;

Thence S. 54° 53′ 52" W. by the Corporate Line, recrossing Governor Brook and running 125.00 feet, to a drill hole found at a corner of stone walls, and land, now or formerly, of the Nimrod League of Holden, Inc.;

Thence N. 38°10′ 08" W. by the stone wall and land, now or formerly, of the aforesaid Nimrod League, 692.00 feet to a concrete bound, set at a corner of stone walls, at a point on the easterly line of Coal Kiln Road;

Thence N. 12° 34′ 31" E. by the easterly side of the road 141.66 feet to a point;

Thence N. 04° 18′ 35" E. by the easterly side of the road 74.14 feet to a point;

Thence N. 02° 08′ 21" W. by the easterly side of the road 54.18 feet to a point;

Thence N. 04° 58′ 53" W. by the easterly side of the road to the first mentioned concrete bound, being the point and place of beginning.

Containing 284,185 square feet or 6.524 acres and shown as "Lot B" upon a plan entitled "Commonwealth of Massachusetts, Metropolitan District Commission, Division of Watershed Management, Princeton (Worcester County) MA., Land Taking Plan For Watershed Protection", dated 6/30/95 and prepared by Ainsworth Associates, Inc., which plan shall be recorded with the Worcester District Registry of Deeds, at a later date, and made a part of this order.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Coal Kiln Road which may be held by the supposed owner as a result of his ownership of the above described property, and being the southeasterly portion of the premises described in a deed from Carmen C. Huntoon to Eon Kenneth Woods, dated January 19, 1993 and recorded with the Worcester District Registry of Deeds at Book 14,898, Page 104, and specificaly reserving to the former owner, his heirs and successors the right and privilege to use, maintain and improve that portion of the existing gravel drive serving the residence upon the portion of the property not taken as shown upon the above referenced survey plan to be recorded.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owner(s) of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
Eon Kenneth Woods and Kenneth J. Woods	$ 80,000.00

The Commission further VOTED: to approve an award of damages in the amount of $80,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

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Adjourned at 9:50 a.m., to meet on Thursday, February 22, 1996, at 9:00 a.m.

William F. [illegible]
Secretary

Record of the Three Thousand Seven Hundred and Sixty Third (3763rd) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, February 22, 1996 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, and Wu.

The Records of the Commission Meeting held on February 8, 1996 were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and two Associate Commissioners:

1. Contract-Agreement No. P95-1761-D1A, dated February 22, 1996, with Rojas Associates, Inc., for Playground Design Services - Four Sites.

2. Contract-Agreement No. P96-1839-D1A, dated February 22, 1996, with Tsokanis Architects, for Design Services - Boston Harbor Beaches: George's Island Picnic Pavilion.

Action was taken upon the following matters relating to the Engineering and Construction Division:

3. Report of Messrs. Faucher and Mayhew, February 8, recommending the following on Contract No. P95-1812-C1A, with Tar-Vel Roofing Co., Inc., for Installation of New Roofing Systems at the William T. Shea Rink, Quincy; Walter D. Bryan Rink, West Roxbury and James F. Reilly Rink, Brighton -
(a) That work be accepted as completed as January 31, 1996.
(b) That Estimate No. 5 (Final), in the amount of $7,114.20, be approved for payment.
(c) That reserve, in the amount of $45,682.43, be approved for payment.
(Basis of Award - $912,000.00)
(Amount to Date - $913,648.63)
(Contract Performance Rating - 4.30)
(EEO Compliance - 5.00)
The Commission V O T E D: that the work of Tar-Vel Roofing Co., Inc., Contractor under Contract No. P95-1812-C1A, be and hereby is accepted as completed as of January 31, 1996.
The Commission further V O T E D: to approve Estimate No. 5 (Final), in the amount of $7,114.20, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $45,682.43, for payment.

4. Report of Messrs. Faucher and Abounaja, February 13, requesting that the Commission amend its vote of December 15, 1994, approving Project No. P95-1789-C1A, for Contaminated Site Cleanup at Various MDC Facilities, by increasing the value of the work from approximately $600,000.00, to approximately $2,600,000.00, and changing the name of Project P95-1789-C1A to Underground Storage Tanks Removal and Contaminated Site Cleanup at Various MDC Facilities. Messrs. Faucher and Abounaja further request authorization to advertise the project.

Time for Performance - thirty six months.
Account Nos. 2490-8910, 2441-9952 and 2490-8915.
The Commission V O T E D: Held Over.

1. Report of Mr. Faucher and Ms. Pomorska, February 14, recommending approval of the request of Coviello Electric and General Contracting Co., Inc., General Contractor on Contract No. P96-1837-M1A, for Servicing Traffic Signal and Control Systems, Middlesex Fells and Revere Beach Districts, to engage the services of LDC Construction Co., as sub-contractor for -

Item No. 011-010 Cement Concrete Foundation Removed and discarded - at $250.00 each.	$ 5,000.00
Item No. 011-020 Cement Concrete Foundation - Octagonal Base - at $250.00 each.	$ 5,000.00
Total -	$10,000.00

(At no increase in Contract cost).
The Commission V O T E D: Approved.

2. Report of Messrs. Faucher and Soroka, February 14, recommending approval of the request of Coviello Electric and General Contracting Co., Inc., General Contractor on Contract No. P96-1838-M1A, for Servicing Traffic Signal and Control Systems, Charles River Basin Districts, to engage the services of LDC Construction Co., as sub-contractor for -

Item No. 011-010 Cement Concrete Foundation Removed and discarded - at $250.00 each.	$4,000.00
Item No. 011-020 Cement Concrete Foundation - Octagonal Base - at $250.00 each.	$4,000.00
Total -	$8,000.00

(At no increase in Contract cost).
The Commission V O T E D: Approved.

3. Report of Mr. Faucher and Ms. Graves-Jones, February 14, recommending approval of the request of Coviello Electric & General Contracting Co., Inc., General Contractor on Contract No. P96-1836-M1A, for Servicing Traffic Signal and Control Systems, Old Colony and Blue Hills Districts, to engage the services of LDC Construction Co., as sub-contractor for -

Item No. 011-010 Cement Concrete Foundation Removed and discarded - at $250.00 each.	$2,000.00
Item No. 011-020 Cement Concrete Foundation - Octagonal Base - at $250.00 each.	$2,000.00
Total -	$4,000.00

(At no increase in Contract cost).
The Commission V O T E D: Approved.

Action was taken upon the following Various Matters:

4. Report of Mr. Jewett, February 16, requesting approval of the

following four (4) Contract-Agreements, for Open Order Contract No. RP96-0001 - Professional Real Estate Engineering Services (Watershed Land Acquisition Program FY96).

	VALUE	PARCELS
Daylor Consulting Group, Inc. 10 Forbes Road Braintree, MA 02184	$44,625.00	6
Christopher White Associates P. O. Box 487 Lincoln, MA 01773	$24,500.00	3
Christopher White Associates P. O. Box 487 Lincoln, MA 01773	$16,000.00 (soil testing only)	10
Schofield Brothers of New England, Inc. 1071 Worcester Road Framingham, MA 01701	$28,000.00	3

Mr. Jewett further requests that Commissioner Balfour be authorized to execute the Contract-Agreements on behalf of the Commission.
Account No. 2421-9936.
Associate Commissioner Wu stated that in the past, on similar Contracts, he abstained from voting. However, noting that two Associate Commissioners were absent and that his vote was needed for the Contracts to move forward, he did not foresee a problem in voting to approve the Contracts.
The Commission V O T E D: to approve four Contract-Agreements, for Open Order Contract No. RP96-0001, for Professional Real Estate Engineering Services (Watershed Land Acquisition Program FY96), as requested by Mr. Jewett in his report of February 16, 1996.
The Commission further V O T E D: to authorize Commissioner Balfour to execute the Contract-Agreements on behalf of the Commission.

1. Report of Mr. Jewett, February 16, requesting approval of the following Contract-Agreement, for Open Order Contract No. RP96-0004 - Professional Real Estate Engineering Services (Park Land Acquisition Program FY96).

	VALUE	PARCELS
Daylor Consulting Group, Inc. 10 Forbes Road Braintree, MA 02184	$8,460.00	1

Mr. Jewett further requests that Commissioner Balfour be authorized to execute the Contract-Agreement on behalf of the Commission.
Account No. 2441-9886.
Associate Commissioner Wu stated that in the past, on similar Contracts, he abstained from voting. However, noting that two

Associate Commissioners were absent and that his vote was needed for the Contract to move forward, he did not foresee a problem in voting to approve the Contract.
The Commission VOTED: to approve Contract-Agreement with Daylor Consulting Group, Inc., for Open Order Contract No. RP96-0004 - Professional Real Estate Engineering Services (Park Land Acquisition Program FY96).
The Commission further VOTED: to authorize Commissioner Balfour to execute the Contract-Agreement on behalf of the Commission.

1. Report of Samantha Overton, Thomasina Dyett and Mario Traficante, January 29, requesting authorization to implement the FY96 Health/Safety and Environmental Compliance Training and Licensing Program for MDC employees at an estimated cost of $7,000.00, and authorize solicitation for the development and production of Standard Operation Procedure and Right-to-Know Training manuals at an estimated cost of $10,000.00.
Time for Performance - to June 30, 1996.
Total estimated cost - $17,000.00.
Account No. 2410-1000.
The Commission VOTED: Held Over.

2. Report of Mrs. O'Brien, February 20, submitting for approval and execution the following documents -

1. Easement Agreement between the Trustees of Cabot, Cabot & Forbes Mystic Valley I Trust and the Metropolitan District Commission and Consent and Subordination of Bankers Trust Company and the Benenson Capital Company.
2. Easement Agreement between the Trustees of Cabot, Cabot & Forbes Mystic Valley I Trust and Consent Company and the Benenson Capital Company.
3. Quitclaim Deed conveying Lot 41 to the Metropolitan District Commission.

The Commission VOTED: Approval.
The Secretary then submitted for signature the following papers which were signed by the Commissioner and two Associate Commissioners:
Easement Agreement, dated December 5, 1995, between the Trustees of Cabot, Cabot & Forbes Mystic Valley I Trust and the Metropolitan District Commission and Consent and Subordination of Bankers Trust Company and the Benenson Capital Company.
Easement Agreement, dated December 5, 1995, between the Trustees of Cabot, Cabot & Forbes Mystic Valley I Trust and Consent Company and the Benenson Capital Company.
Quitclaim Deed, dated December 5, 1995, conveying Lot 41 to the Metropolitan District Commission.

Adjourned at 9:45 a.m., to meet on Thursday, February 29, 1996, at 9:00 a.m.

William F.
Secretary

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Record of the Three Thousand Seven Hundred and Sixty Fourth (3764th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, February 29, 1996 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Elkort and Settles.

The Records of the Commission Meeting held on February 15, 1996 were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and two Associate Commissioners:

1. Interdepartmental Service Agreement No. WM96-017-S1A, dated February 29, 1996, with the University of Massachusetts - Amherst, for Containment Transport Modeling and the Impact of Watershed Activities on Water Quality in Quabbin Reservoir - Phase II.

2. Contract No. P96-1821-M1A, dated February 29, 1996, with Boston Edison Company, for Maintenance of Street-Lighting Systems on Metropolitan District Commission Parkways, Roadways and Properties - Two year contract.

Action was taken upon the following matters relating to the Engineering and Construction Division:

3. Report of Messrs. Faucher and Abounaja, February 13, requesting that the Commission amend its vote of December 15, 1994, approving Project No. P95-1789-C1A, for Contaminated Site Cleanup at Various MDC Facilities, by increasing the value of the work from approximately $600,000.00, to approximately $2,600,000.00, and changing the name of Project P95-1789-C1A to Underground Storage Tanks Removal and Contaminated Site Cleanup at Various MDC Facilities. Messrs. Faucher and Abounaja further request authorization to advertise the project.
Time for Performance - thirty six months.
Account Nos. 2490-8910, 2441-9952 and 2490-8915.
The Commission V O T E D: to Delete from Agenda.

4. Report of Messrs. Faucher and Brooks, January 31, recommending the following on Contract No. P96-1834-E1A, with George T. Wilkinson, Inc., for Emergency Replacement of Two Low Pressure Steam Boilers at the Lower Basin State Police Station, Boston -
(a) That work be accepted as completed as of January 19, 1996.
(b) That Estimate No. 2 (Final), in the amount of $6,467.72, be approved for payment.
(c) That reserve, in the amount of $995.45, be approved for payment.
(Basis of Award - $19,909.00)
(Amount to Date - $19,909.00)
(Contract Performance Rating - 4.50)
(EEO Compliance - N/A)
The Commission V O T E D: that the work of George T. Wilkinson, Inc., Contractor under Contract No. P96-1834-E1A, be and hereby

is accepted as completed as of January 19, 1996.
The Commission further V O T E D: to approve Estimate No. 2 (Final), in the amount of $6,467.72, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $995.45, be approved for payment.

1. Report of Messrs. Faucher and DiRamio, February 13, recommending the following on Contract No. P95-1806-C1A, with Northern Tree Service, Inc., for Installation of Flagpoles and Banners, Boston Harbor Beaches -
(a) That work be accepted as completed as of October 31, 1995.
(b) That Estimate No. 4F (Final), in the amount of $33,325.00, be approved for payment.
(c) That reserve, in the amount of $11,760.26, be approved for payment.
(Basis of Award - $240,200.00)
(Amount to Date - $235,205.05)
(Contract Performance Rating - 4.50)
(EEO Compliance - 4.40)
The Commission V O T E D: that the work of Northern Tree Service, Inc., Contractor under Contract No. P95-1806-C1A, be and hereby is accepted as completed as of October 31, 1995.
The Commission further V O T E D: to approve Estimate No. 4F (Final), in the amount of $33,325.00, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $11,760.26, be approved for payment.

2. Report of Messrs. Faucher, Brooks and Haider, January 24, recommending approval of the action of Resident Engineer Whelan and District Supervisor Graham, resulting in Revisions in Quantities and Extra Work Claims on Contract No. P95-1778-C1A, with Ledgewood Construction Company, Inc., for Installation of a 10" Water Line at the Blue Hills Ski Area, Canton -

Revisions in Quantities -	
Item No. 001-060 Excavation of Pavement	$ 60.00
Item No. 003-150 6" Gasket and Megalugs	$ 318.00
Item No. 003-160 6" Gate Valve	$ 2,000.00
Item No. 003-190 6" Shut-off Valve	$ 1,000.00
Item No. 003-220 6" Cast Iron Pipe	$14,729.50
Item No. 003-290 4" Cast Iron Pipe	$ 8,999.50
Item No. 003-340 2" Copper Pipe	$ 932.00
Total =	**$28,039.00**
Extra Work Claims	
Extra Work Claim No. 1 Service Connection	**$ 861.38**
Extra Work Claim No. 2 Removing and Resetting Concrete and Timber Steps	**$ 710.00**
Grand Total =	**$29,610.38**

Account No. 2440-9853 - $29,000.00.
(Remaining $610.38 will be offset by unused quantities in Item No. 001-050 - Common Fill).
The Commission V O T E D: Held Over.

Action was taken upon the following matters relating to the Office of Real Property:

1. Report of Mr. Gray, February 23, submitting for approval, Work Schedule and Project Summary and Justification, for Open Order Contract No. RP96-0004, for Appraisals for Park Land Acquisition FY/96 - Middlesex, Suffolk, Norfolk, Essex and Plymouth Counties.
Cost - $80,000.00.
Account No. 2441-9886, under Section 32 of Chapter 564 for the Acts of 1987 - (Open Space Bond).
The Commission V O T E D: Approved.

1. Report of Mr. Gray, February 23, recommending that the Commission adopt an Order of Taking for acquisition of approximately 3.8 acres of land owned by David M. Chase, et ux, located in the Town of Holden, Massachusetts, and to approve an award of damages in the amount of $7,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936.
   The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 3.8 acres of land owned by David M. Chase, et ux, located in the Town of Holden, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, February 29, 1996.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Holden in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying on the northerly side of Sterling Road, between Sterling and Mason Roads, just northerly of their intersection, and astride Governor Brook, more particularly bounded and described as follows:

Beginning at an iron pipe set in the stone wall on the northerly line of Sterling Road, 205 feet, more or less, northeasterly from the corner of Mason Road and Sterling road, at land, formerly of David J. Dugan, now or formerly, of Eugene J. & Carol A. Vassar, said pipe marking the southeasterly corner of the parcel herein described;

Thence N. 13° 28′ 52" W., 208.39 feet, by land, now or formerly, of Vassar, to an iron pin at other land, formerly of Dugan, now or formerly, of Edward B. Jr. & Karen A. Dlugasz;

Thence On the same bearing, 359.18 feet, by land, now or formerly, of Dlugasz, to a nail in a three inch oak stump, at land, now or formerly, of Orrin W. Jr. & Cynthia L. Mason, said nail marking the southwesterly corner of the parcel herein described;

Thence N. 35° 34′ 30" E., 206.43 feet, by land, now or formerly, of Mason, to a point at land, formerly of Megarry & Howard Realty Corporation, now or formerly, of Matthew & Gail Phillips;

Thence S. 22° 46′ 20" E., 863.50 feet, by land, now or formerly, of Phillips, to a point in the stone wall marking the northerly line of Sterling Road;

Thence Westerly by the stone wall and the northerly line of Sterling Road, 345 feet, more or less, to the first mentioned iron pipe, being the point and place of beginning.

Containing 3.8 acres, more or less, as shown as Parcel #4 on a survey plan entitled "Plan Of Land Owned By George T. & Elizabeth Lawrence On Mason Road Holden, Mass.", dated March 9, 1966 and prepared by Carl L. Bratt & Associates, which plan is recorded with Worcester District Registry of Deeds as Plan 94 in Plan Book 298.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Sterling Road and/or Governor Brook which may be held by the supposed owners, as a result of their ownership of the above described property, and being the same premises described in a deed from Megarry and Howard Realty Corporation to David M. Chase and Jayne E. Chase, dated June 5, 1967 and recorded with Worcester District Registry of Deeds in Book 4759, Page 440.

The above described property is represented upon Holden Assessors Tax Map 16 as Parcel 1.02.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
David M. Chase and Jayne E. Chase	$ 7,000.00

The Commission further VOTED: to approve an award of damages in the amount of $7,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, February 23, recommending that the Commission adopt an Order of Taking for acquisition of approximately 1.58 acres of land owned by Stephen J. Pisarczyk, Jr., et al, located in the Town of West Boylston, Massachusetts, and to approve an award of damages in the amount of $67,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 1.58 acres of land owned by Stephen J. Pisarczyk, Jr., et al, located in the Town of West Boylston, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, February 29, 1996.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of West Boylston in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying on the northerly side of Woodland Street, adjoining land of the Commonwealth of Massachusetts, known as Interstate-190, more particularly bounded and described as follows:

Beginning at a Massachusetts Highway bound found at a point on the northerly side of Woodland Street, at land of the Commonwealth of Massachusetts, known as Interstate-190, said point being the southeasterly corner of the parcel herein being described;

Thence S. 58° 34′ 00" W., 244.05 feet, by the northerly line of Woodland Street, to an iron pin found at land, formerly of one Hanson, now or formerly, of Thelma D. Haddad;

Thence N. 27° 23′ 45" W., 258.21 feet, entering and running by a stone wall and land, now or formerly, of Haddad, to an iron pin found at land, now or formerly, of John A. & Marion E. Broderick;

Thence N. 18° 19′ 32" W., 88.92 feet, by land, now or formerly, of Broderick, to an iron pin found at land, formerly of Leonard Crowe, now or formerly, of Peter M. & Lynn M. Heintzelman;

Thence N. 71° 40′ 28" E., 171.07 feet, by land, now or formerly, of Heintzelman, to an iron pin found at land of the Commonwealth, Interstate-190;

Thence S. 35° 43′ 28" E., 307.87 feet, by the westerly layout line of Interstate-190, to the Massachusetts Highway bound first mentioned, being the point and place of beginning.

Containing 1.58 acres, more or less, as shown as Lot 1 upon a plan entitled "Plan Of Land In West Boylston, Mass. Owned By Estate Of Leonard Crowe", prepared by Stanley R. Tokarz, R.L.S. and dated June 25, 1986, which plan is recorded with Worcester District Registry of Deeds as Plan 10 in Plan Book 571.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Woodland Street which may be held by the supposed owners, and being the same premises described in a deed from Grace N. Brigham to Stephan J. Pisarczyk and James V. Pisarczyk, as tenants in common, dated December 16, 1987 and recorded with Worcester District Registry of Deeds at Book 11048, Page 95.

The above described property is represented upon West Boylston Assessors Tax Map 174 as Parcel 59.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
Stephen J. Pisarczyk James V. Pisarczyk	$ 67,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $67,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

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1. Report of Mr. Gray, February 23, recommending that the Commission adopt an Order of Taking for acquisition of approximately 6.15 acres of land owned by Rosanna Iacovelli, et al, Trustees, located in the Town of Sterling, Massachusetts, and to approve an award of damages in the amount of $165,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 6.15 acres of land owned by Rosanna Iacovelli, et al, Trustees, located in the Town of Sterling, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, February 29, 1996.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Sterling in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying on the easterly side of Worcester Road-Route 12, near its intersection with Boutelle Road, more particularly bounded and described as follows:

Beginning at a cement bound on the easterly side of the State Highway leading from Sterling to Worcester, now known as Worcester Road-Route 12;

Thence N. 22° 31′ W., 31.04 feet, by the easterly line of the 1933 State Highway Layout, to an iron pin, at land, formerly of Carl A. Anderson, now or formerly, of Francis J. & Karen A. Casamassa;

Thence N. 66° 39′ E., 236.32 feet, by land, now or formerly, of Cassamassa, to an iron pipe at land, formerly of Willie R. Mitchell, Walter B. Sawyer and Albert O. Bullard, now of the Commonwealth of Massachusetts, Metropolitan District Commission;

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Thence S. 55° 17′ E., 402.31 feet, by land of the Commonwealth (MDC), to a stone Metropolitan Water Works bound, found at a point on the westerly line of the former railbed of the Fitchburg & Worcester Railroad Company, being land, formerly of William Rushworth, now of the Commonwealth of Massachusetts, Metropolitan District Commission;

Thence S. 13° 51′ W., 429.00 feet, by the former railbed, to an iron pipe at land, formerly of Howe Lumber Company, now or formerly, of Robert & Karen L. Pennell, and of Michael & Patricia Capone;

Thence S. 81° 51′ W., 384.27 feet, partially by land, now or formerly, of Pennell & Capone, and partially by land, now or formerly, of Mark & Diane Kurtz Gauthier, to an iron pipe on the easterly side of Worcester Road-Route 12;

Thence N. 05° 05′ W., 46 feet, to a point;

Thence N. 80° 45′ E., 5.90 feet, to a cement bound;

Thence Northerly by the easterly line of Worcester Road-Route 12, 566.98 feet, to the first mentioned cement bound, being the point and place of beginning.

Excepting from the parcel described above, property taken by the Commonwealth of Massachusetts, Department of Public Works, for the relocation of the road leading from Sterling to West Boylston (Route 12-Worcester Road), as set forth in an instrument dated April 10, 1946, recorded with Worcester District Registry of Deeds on May 2, 1946 in Book 2998, Page 247, and as shown on the third sheet of a three sheet set of plans of Layout No. 3473, recorded as Plan 109 in Plan Book 138.

The above described parcel, with exception, is estimated to contain 6.15 acres, more or less.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Worcester Road-Route 12 which may be held by the supposed owners, and being the same premises described in a deed from Anita M. Whitney and Rosanna Iacovelli to Anita Whitney and Rosanna Iacovelli as trustees of the Anita Whitney & Rosanna Iacovelli Trust 1989, dated June 20, 1989 and recorded with Worcester District Registry of Deeds at Book 14209, Page 60. Refer also to earlier instruments, recorded with said Deeds in Book 14209, Page 56; Book 10118, Page 107; Book 9040, Page 387; Book 7279, Page 100; Book 7249, Page 113; Book 2998, Page 247; Book 2906, Page 331; Book 2773, Page 429; and Book 2773, Page 426. See also Worcester County Probate 84P3370E1.

The above described property is represented upon Sterling Assessors Tax Map 23L as Parcel 5, and Tax Map 23Q as Parcel 5.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
Anita Whitney and Rosanna Iacovelli, Trustees of the Anita Whitney & Rosanna Iacovelli 1989 Trust	$ 165,000.00

The Commission further VOTED: to approve an award of damages in the amount of $165,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

Action was taken upon the following Various Matters:

1. Report of Samantha Overton, Thomasina Dyett and Mario Traficante, January 29, requesting authorization to implement the FY96 Health/Safety and Environmental Compliance Training and Licensing Program for MDC employees at an estimated cost of $7,000.00, and authorize solicitation for the development and production of Standard Operation Procedure and Right-to-Know Training manuals at an estimated cost of $10,000.00.
Time for Performance - to June 30, 1996.
Total estimated cost - $17,000.00.
Account No. 2410-1000.
The Commission V O T E D: authorization to implement the FY96 Health/Safety and Environmental Compliance Training and Licensing Program for MDC employees at an estimated cost of $7,000.00.
The Commission further V O T E D: to authorize solicitation for the development and production of Standard Operation Procedure and Right-to-Know Training manuals at an estimated cost of $10,000.00.

2. Report of Mr. Jewett, February 23, requesting approval of the following nine (9) Contract-Agreements, for Open Order Contract No. RP96-0004 - Professional Real Estate Appraisal Services - (Park Land Acquisition Program FY96) -

NAME	**VALUE**	**PARCELS**
Winthrop Real Estate Advisors 50 Congress Street, Suite 715 Boston, MA 02109	$25,100.00	6
Reynolds Company 420 Washington Street, Suite 404 Braintree, MA 02184	$33,070.00	6
Leo M. Flynn 275 Cabot Street Beverly, MA 01915	$16,900.00	5
Peter S. Emerson & Associates 29 Albion Street Wakefield, MA 01880	$21,450.00	5
R. M. Bradley & Company, Inc. 250 Boylston Street Boston, MA 02116-3983	$ 2,720.00	2
Meredith & Grew, Inc. 160 Federal Street Boston, MA 02110-1701	$14,450.00	4
Ellen Harding Anderson 395 Hillside Street Milton, MA 02186	$ 5,800.00	1

NAME	VALUE	PARCELS
Eric Reenstierna & Associates Bulfinch Square 43 Thorndike Street Cambridge, MA 02141	$ 3,100.00	2
Petersen/LaChance Realty Advisors 100 Conifer Hill Drive, Suite 206 Danvers, MA 01923	$ 3,100.00	1

Mr. Jewett further requests that Commissioner Balfour be authorized to execute the Contract-Agreements on behalf of the Commission. Account No. 2441-9886.
The Commission VOTED: Approved.
The Commission further VOTED: authorization for Commissioner Balfour to execute the Contract-Agreement on behalf of the Commission.

1. Report of Mr. Jewett, February 28, on behalf of the Consultant Selection Committee, requesting the following on Contract No. WM95-086-S1A, for Sewer Agreement Mediation - Rutland - Holden Sewer Issues -
(a) Approval of the selection of Burns & Levinson to perform the services.
(b) That the Commission amend its vote of December 1, 1995 by increasing compensation from $30,000.00 to $49,660.00.
(c) That the Commission execute the Contract
(Time for Performance - Eleven months.
Account No. 2420-1400.
The Commission VOTED: to approve the selection of Burns & Levinson to perform the services on Contract No. WM95-086-S1A, for Sewer Agreement Mediation - Rutland - Holden Sewer Issues.
The Commission further VOTED: to amend its vote of December 1, 1995 by increasing compensation from $30,000.00 to $49,660.00, on Contract No. WM95-086-S1A.
The Secretary then submitted for signature Contract No. WM95-086-S1A, with Burns & Levinson, which was signed by the Commissioner and two Associate Commissioners.

The following matter was placed on the agenda for the information of the Commission:

2. The following schedules were approved for payment by the Commissioner during the period from December 1, 1995 to December 31, 1995.

Expenditures $1,725,522.53

Adjourned at 9:45 a.m., to meet on Thursday, March 7, 1996, at 9:00 a.m.

William F.
Secretary

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Record of the Three Thousand Seven Hundred and Sixty Fifth (3765th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, March 7, 1996 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr and Elkort.

The Records of the Commission Meeting held on February 22, 1996 were read and approved.

The Commissioner and Associate Commissioners unanimously adopted the following Resolution:

1. RESOLVED: That the Metropolitan District Commission, assembled in its Meeting held on March 7, 1996, does hereby express its deep and sincere appreciation to Edward G. Hines, of the Engineering and Construction Division, for his more than forty-five years of professional, productive service with the Commission and for the example he has set as a conscientious and dedicated public servant; that he will be missed by his many friends and co-workers; that the Commissioner and Associate Commissioners, constituting said Metropolitan District Commission, do hereby extend to him their cordial best wishes that the years of his retirement may be many, and that they may be fruitful in the happiness and contentment he so richly deserves; that this Resolution be spread upon the records of this Meeting; and that the Secretary prepare and forward a suitably inscribed copy thereof to Mr. Hines.

The Secretary then submitted for signature the following paper which was signed by the Commissioner and two Associate Commissioners:

2. Contract No. P93-1668-X2A, dated March 7, 1996, with Halvorson Company, Inc., for Professional Landscape Architect Services.

Action was taken upon the following matters relating to the Engineering and Construction Division:

3. Report of Messrs. Faucher, Brooks and Haider, January 24, recommending approval of the action of Resident Engineer Whelan and District Supervisor Graham, resulting in Revisions in Quantities and Extra Work Claims on Contract No. P95-1778-C1A, with Ledgewood Construction Company, Inc., for Installation of a 10" Water Line at the Blue Hills Ski Area, Canton -

[illegible]
[illegible]
[illegible]
Charging
[illegible]
-9152 &
-9543

Revisions in Quantities -

Item No. 001-060 Excavation of Pavement	$ 60.00
Item No. 003-150 6" Gasket and Megalugs	$ 318.00
Item No. 003-160 6" Gate Valve	$ 2,000.00
Item No. 003-190 6" Shut-off Valve	$ 1,000.00

Revisions in Quantities

Item No. 003-220 6" Cast Iron Pipe	$14,729.50
Item No. 003-290 4" Cast Iron Pipe	$ 8,999.50
Item No. 003-340 2" Copper Pipe	$ 932.00
Total =	**$28,039.00**

Extra Work Claims

Extra Work Claim No. 1 Service Connection	**$ 861.38**
Extra Work Claim No. 2 Removing and Resetting Concrete and Timber Steps	**$ 710.00**
Grand Total =	**$29,610.38**

Account No. 2440-9853 - $29,000.00.
(Remaining $610.38 will be offset by unused quantities in Item No. 001-050 - Common Fill).

Mr. Brooks stated that the Commission has received several requests from the Contractor for payment of the work performed under the Revisions and Extra Work Claims. He then pointed out that if the matter is not approved at today's meeting, it will not be taken up by the Commission until March 28.

Associate Commissioner Elkort noting that she is a public official for the Town of Canton, questioned if she would be in conflict by voting on the matter.

General Counsel Wright stated that he reviewed the Contract and backup material with personnel of the Engineering and Construction Division and could find no conflict with the Contract and the Town of Canton.

In addition, he noted, there is no conflict with Associate Commissioner Elkort voting on the matter under terms of Chapter 28 of the General Laws.

The Commission VOTED: to approve the Revisions in Quantities as recommended by Messrs. Faucher, Brooks and Haider in their report of January 24, 1996.

The Commission further VOTED: to approve Extra Work Claim No. 1, in the amount of $861.38.

The Commission further VOTED: to approve Extra Work Claim No. 2, in the amount of $710.00.

1. Report of Mr. Faucher and Mrs. Graves-Jones, February 2, recommending the following on Contract No. P94-1705-M1A, with Markings, Inc., for Installation of Reflectorized Pavement Markings -

(a) That work be accepted as completed as of November 30, 1995.
(b) That Estimate No. 16 (Final), in the amount of $9,322.56, be approved for payment.
(c) That reserve, in the amount of $10,038.84, be approved for payment.

(Basis of Award - $257,735.23)
(Amount to Date - $241,048.74)
(Contract Performance Rating - 4.66)
(EEO Compliance - 4.25)

The Commission VOTED: that the work of Markings, Inc.,

Contractor under Contract No. P94-1705-M1A, be and hereby is accepted as completed as of November 30, 1995.
The Commission further VOTED: to approve Estimate No. 16 (Final), in the amount of $9,322.56, for payment.
The Commission further VOTED: to approve release of reserve, in the amount of $10,038.84, for payment.

1. Report of Mr. Faucher and Mrs. Graves-Jones, February 27, on bids for Installation of Reflectorized Pavement Markings on Parkways and Roadways of the MDC, Contract No. P96-1822-M1A.
(Mr. Faucher and Mrs. Graves-Jones recommend acceptance of the lowest bid received, that of Markings, Inc., of $241,385.00).
The Commission VOTED: to accept the lowest bid received, that of Markings, Inc., of $241,385.00.

2. Report of Messrs. Faucher and Brooks, February 5, recommending the following on Contract No. P96-1825-C1A, with D. Clancy & Sons, for Emergency Structural Repairs to Steriti Skating Rink, North End of Boston -
(a) That work be accepted as completed as of November 2, 1995.
(b) That Estimate No. 2 (Final), in the amount of $5,093.90, be approved for payment.
(c) That reserve, in the amount of $3,178.10, be approved for payment.
(Basis of Award - $58,200.00)
(Amount to Date - $63,562.00)
(Contract Performance Rating - 4.67)
(EEO Compliance - 4.00)
The Commission VOTED: that the work of D. Clancy & Sons, Contractor under Contract No. P96-1825-C1A, be and hereby is accepted as completed as of November 2, 1995.
The Commission further VOTED: to approve Estimate No. 2 (Final), in the amount of $5,093.90, for payment.
The Commission further VOTED: to approve release of reserve, in the amount of $3,178.10, for payment.

3. Report of Mr. Faucher, February 29, requesting authorization for Commissioner Balfour, or his designee, to execute Contract No. P96-1852-C1A, with Modern Continental Construction Company, Inc., for Emergency Snow Removal from Rink Roofs and Rink Roofs Structural Repairs to the Hyde Park and Weymouth Skating Rinks.
(February 8, 1996 - Commission voted approval. Contract cost $550,000.00).
The Commission VOTED: to authorize Commissioner Balfour, or his designee, to execute Contract No. P96-1852-C1A, with Modern Continental Construction Company, Inc., for Emergency Snow Removal from Rink Roofs and Rink Roofs Structural Repairs to the Hyde Park and Weymouth Skating Rinks, as recommended by Mr. Faucher in his report of February 29, 1996.

4. Report of Messrs. Faucher and Machado, March 4, recommending approval of the action of Acting Director Faucher resulting in Revisions in Quantities and an Extra Work Order on Contract No. P95-1803-C1A, with J. Marchese and Sons, Inc., for Repairing/Replacing Bituminous and Cement Concrete Sidewalks and Curbing at

Various Locations throughout the Metropolitan District, as follows -

Revisions in Quantities

Item No. 003-010	Gravel Borrow	$ 5,525.00
Item No. 014-010	New Granite Corner Blocks - 2 Ft. Radius	$ 4,100.00

Extra Work Order

Extra Work Order No. 1 1 Drop Inlet, Type AF-Frame & Grate 18 L.F., "PVC Pipe"	$ 2,183.38
Total =	**$11,808.38**

(At no increase in Contract cost as the Extra Work Order and Revisions will be offset by unused quantities in Item No. 004-010 - Loam Borrow, Item No. 024-010 - Grading, Liming, Fertilizing and Seeding and Item No. 019-010 - Cement Concrete Driveway).
The Commission VOTED: to approve the Revisions in Quantities, in the amount of $9,625.00.
The Commission further VOTED: to approve Extra Work Order No. 1, in the amount of $2,183.38.

1. Report of Mr. Faucher and Mrs. Graves-Jones, February 2, recommending the following on Contract No. P94-1705-M1A, with Markings, Inc., for Installation of Reflectorized Pavement Markings -
(a) That work be accepted as completed as of November 30, 1995.
(b) That Estimate No. 16 (Final), in the amount of $9,322.56, be approved for payment.
(c) That reserve, in the amount of $10,038.84, be approved for payment.

(Basis of Award - $257,735.23)
(Amount to Date - $241,048.74)
(Contract Performance Rating - 4.66)
(EEO Compliance - 4.25)

The Commission VOTED: that the work of Markings, Inc., Contractor under Contract No. P94-1705-M1A, be and hereby is accepted as completed as of November 30, 1995.
The Commission further VOTED: to approve Estimate No. 16 (Final), in the amount of $9,322.56, for payment.
The Commission further VOTED: to approve release of reserve, in the amount of $10,038.84, for payment.

Action was taken upon the following matters relating to the Watershed Management Division:

2. Report of Messrs. McGinn and Vignaly, February 23, submitting for approval and execution Contract No. WM96-018-X1A, with the United States Department of Agriculture, Animal and Plant Health Inspection Service, Animal Damage Control, at a cost of $3,460.00, for Gull Control 1996, Cunningham Ledge, Wachusett Reservoir.
Account No. 2420-1400 JJ.
The Commission VOTED: Approved.
The Secretary then submitted for signature Contract No. WM96-018-X1A, dated March 7, 1996, with the United States

Department of Agriculture, Animal and Plant Health Inspection Service, Animal Damage Control, which was signed by the Commissioner and two Associate Commissioners.

Action was taken upon the following Various Matters:

1. Report of Miss Overton and Mr. Traficante, February 28, requesting approval and execution of an Amendment for an extension of time from April 1, 1996 to June 30, 1996, on Contract No. P94-1748-X1A, with ATC Environmental Services, Inc., for Lead Paint Testing Services at 12 Brainerd Street, Hyde Park, due to the need to complete scope of work.
(At no additional Contract cost).
The Commission V O T E D: Approved.
The Secretary then submitted for signature Amendment, dated March 7, 1996, to Contract No. P94-1748-X1A, with ATC Environmental Services, Inc., which was signed by the Commissioner and two Associate Commissioners.

2. Report of Mrs. O'Brien and Mr. Driscoll, March 1, requesting approval and execution of an Amendment for an extension of time from March 31, to December 31, 1996, on Contract No. PL93-026-D1A, with Berkshire Design Group, for Blair Pond Restoration - Master Plan and Design Services.
(At no increase in Contract cost).
The Commission V O T E D: Approved.
The Secretary then submitted for signature Amendment, dated March 7, 1996, to Contract No. PL93-026-D1A, with Berkshire Design Group, which was signed by the Commissioner and two Associate Commissioners.

3. Report of Mrs. O'Brien and Mr. Driscoll, March 1, requesting approval and execution of an Amendment for an extension of time from March 31, to December 31, 1997, on Contract No. PL92-017-S1B, with Carol R. Johnson Associates, for Upper Charles Restoration - Master Plan and Design Services.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Amendment, dated March 7, 1996, to Contract No. PL92-017-S1B, with Carol R. Johnson Associates, which was signed by the Commissioner and two Associate Commissioners.

4. Report of Mr. Jewett, March 4, on behalf of the Consultant Selection Committee, requesting approval and execution of Contract No. WM95-059-S1A, with Brackett & Lucas, for Model On-Site Wastewater Management District, West Boylston - Holden, Massachusetts.
Compensation - $20,810.00 - paid on an hourly basis.
Time for Performance - ten months.
Account No. 2420-1400.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Contract No. WM95-059-S1A, dated March 7, 1996, with Brackett & Lucas, which was signed by the Commissioner and two Associate Commissioners.

1. Report of Mrs. O'Brien, March 1, recommending that the Commission Amend its vote of November 7, 1995, approving Project No. PL-95-036-D1A, for Leverett Circle/Storrow Drive Landscaping and Pedestrian Bridge, by increasing the design cost from $500,000.00 to $650,000.00 and increasing the scope to include a pedestrian bridge crossing the "Old Locks" and one to connect the O'Brien Highway to North Point.
Mrs. O'Brien further requests that the Commission approve the transfer of funds from Account No. 2449-1002 to Account No. 2449-1003 of the Central Artery/Tunnel Mitigation Agreement.
The Commission VOTED: to Amend its vote of November 7, 1995, approving Project No. PL-95-036-D1A, for Leverett Circle/Storrow Drive Landscaping and Pedestrian Bridge, by increasing the design cost from $500,000.00 to $650,000.00 and increasing the scope to include a pedestrian bridge crossing the "Old Locks" and one to connect the O'Brien Highway to North Point.
The Commission further VOTED: to approve the transfer of funds from Account No. 2449-1002 to Account No. 2449-1003 of the Central Artery/Tunnel Mitigation Agreement, as recommended by Mrs. O'Brien in her report of March 1, 1996.

2. Report of Miss Overton and Messrs. Faucher and Winter, February 21, requesting approval of the emergency action of Director of Flood Control Winter, to contain an oil spill at the Amelia Earhart Dam resulting in a hazardous waste cleanup by Enpro Services, Inc., on October 1, 1995, at a cost of $62,828.80.
Account No. 2440-9845.
The Commission VOTED: to approve the emergency action of Director of Flood Control Winter, to contain an oil spill at the Amelia Earhart Dam resulting in a hazardous waste cleanup by Enpro Services, Inc., on October 1, 1995, at a cost of $62,828.80.

3. Report of Mr. Jewett, March 6, on behalf of the Consultant Selection Committee, requesting approval of and authorization for Commissioner Balfour or his designee to execute, on behalf of the Commission, Contract No. P96-1835-D1A, with GZA GeoEnvironmental, Inc., for Unquity Road Landfill Assessment and Closure.
Compensation - $46,620.00.
Estimated Time for Performance - sixteen months.
Account No. 2440-7849.
The Commission VOTED: Approved.
The Commission further VOTED: authorization for Commissioner Balfour or his designee to execute, on behalf of the Commission, Contract No. P96-1835-D1A, with GZA GeoEnvironmental, Inc., for Unquity Road Landfill Assessment and Closure.
On motion of Associate Commissioner Carr, the Commission VOTED: to authorize Secretary Chisholm to execute the Contract on behalf of the Commission if Commissioner Balfour is not available.

Action was taken upon the following matter relating to the Recreational Facilities and Construction Division:

4. Report of Mr. Doak, March 6, submitting for approval and

execution a Special Use Permit with Boston Professional Roller Hockey, L.P. (BPRHLP), (a Limited Partnership), to operate and maintain a pilot roller hockey program at LoConte Memorial Rink, Veterans Parkway, Medford; Devine Memorial Rink, Morrissey Boulevard, Dorchester; Veterans Memorial Rink, Totten Pond Road, Waltham and Shea Memorial Rink, Willard Street, Quincy.
The Special Use Permit shall be valid for a period of five (5) years from April 30 until August 20 of each year. (BPRHLP) shall pay all costs associated with the program.
(At no cost to the Commission).
The Commission VOTED: Held Over.

Action was taken upon the following matter relating to the Office of Real Property:

1. Report of Mr. Gray, March 1, recommending that the Commission approve and adopt a lease agreement and a joint management agreement as incorporated therein, in accordance with the provisions of Chapter 110 of the Acts of 1995, disposing of a certain portion of Elm Bank Reservation land located in Dover and Wellesley, containing approximately 35.981 acres, to the Massachusetts Horticultural Society, for all purposes consistent with said Act.
Mr. Gray further recommends that the Commission authorize Commissioner Balfour to execute the lease and joint management agreements on behalf of the Commission.
The Commission VOTED: to approve and adopt a lease agreement and a joint management agreement as incorporated therein, in accordance with the provisions of Chapter 110 of the Acts of 1995, disposing of a certain portion of Elm Bank Reservation land located in Dover and Wellesley, containing approximately 35.981 acres, to the Massachusetts Horticultural Society, for all purposes consistent with said Act.
The Commission further VOTED: to authorize Commissioner Balfour to execute the lease and joint management agreements on behalf of the Commission, as recommended by Mr. Gray in his report of March 1, 1996.

Adjourned at 10:10 a.m., to meet on Thursday, March 28, 1996, at 9:00 a.m.

William F.
Secretary

Record of the Three Thousand Seven Hundred and Sixty Sixth (3766th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, March 28, 1996 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort and Wu.

The Records of the Commission Meeting held on February 29, 1996 were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and three Associate Commissioners:

1. Contract-Agreement No. WM95-088-S1A, dated March 28, 1996, with Pickett and Miyares, Attorneys at Law, for Revision of the Rules and Regulations Governing the Subdivision of Land, West Boylston.

2. Contract-Agreement No. WM95-085-S1A, dated March 28, 1996, with GZA GeoEnvironmental, Inc., for Geotechnical Evaluation of Cunningham Ledge, Wachusett Reservoir, Clinton.

3. Contract-Agreement No. WM95-054-S1A, dated March 28, 1996, with Rizzo Associates, Inc., for Transportation Release Controls.

Action was taken upon the following matters relating to the Engineering and Construction Division:

4. Report of Messrs. Faucher and McCalla, March 21, recommending approval of the request of Boston Edison Company, general contractor, on Contract No. P96-1821-M1A, for Maintenance of Street Lighting Systems on M.D.C. Parkways, Roadways and Properties, to engage the services of Wilmington Wiring Corporation, as sub-contractor for the following items -

Item No. 060-010 Hourly rate for Licensed Electrician for Miscellaneous Repairs	**$21,450.00**
Item No. 061-010 Hourly rate for Electrician Helper for Miscellaneous Repairs	**$22,000.00**
Item No. 062-010 Hourly rate for Vehicle for Miscellaneous Repairs	**$12,000.00**
Total =	**$55,450.00**

(At no additional cost to the Commission).
The Commission V O T E D: Approved.

5. Report of Mr. Faucher and Miss Peterson, March 21, recommending approval of the request of The Middlesex Corporation/ Middlesex Paving/Middlesex Bituminous Products/Middlesex, Inc./Middlesex Materials Corporation, general contractor, on Contract No. P82-1054-C1A, for Repair of Charles Circle Bridges #57A and #57B, Boston, to engage the services of Paige Welding Company, as sub-contractor for the following item -

Item No. 017-010 Furnishing and Installing Shear Studs	**$2,500.00**

(At no additional cost to the Commission).
The Commission V O T E D: Approved.

1. Report of Miss Overton and Messrs. Faucher, Jewett and Orfant, March 19, submitting for approval an Amendment, in the amount of $7,629.42, which will increase the scope of work, on Contract-Agreement No. P96-1826-D1A, with Bourne Consulting Engineering, for Boston Harbor Beaches Early Resanding Program.
Funding available in Account No. 2440-8956.
The Commission V O T E D: Approved.

2. Report of Messrs. Faucher and Jackson, March 20, on bids for Park Construction at Kent's Carpetland Parcel, Quincy, Contract No. P96-1832-C1A.
Account No. 2440-8956.
(Messrs. Faucher and Jackson recommend acceptance of the lowest bid received, that of J. J. Phelan & Son, Co., Inc., of $54,373.00).
The Commission V O T E D: to accept the lowest bid received, that of J. J. Phelan & Son, Co., Inc., of $54,373.00.

3. Report of Messrs. Faucher and Sacco, March 14, recommending approval of an extension of time from March 15, 1996 to April 15, 1996, on Contract No. P92-1646-C2B, with W. H. Hughes, Inc., for Installation of Submarine Cables, Beades Drawbridge, Dorchester, due to delay in delivery of submarine cable and additional time needed to install and complete the connections.
(At no additional increase in contract cost).
The Commission V O T E D: to approve an extension of time from March 15, 1996 to April 15, 1996, on Contract No. P92-1646-C2B, as recommended by Messrs. Faucher and Sacco in their report of March 14, 1996, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

4. Report of Messrs. Faucher and Mayhew, March 20, requesting approval to retain the services of a consultant, to Provide Structural Inspections and Analysis of Certain M.D.C. Ice Skating Rink Roof Systems, Contract-Agreement No. P96-1857-D1A, at a cost of $50,000.00.
Time for Performance - two months
Funding is available in Account No. 2440-2000.
The Commission V O T E D: Approved as recommended by Messrs. Faucher and Mayhew in their report of March 20, 1996.

Action was taken upon the following matters relating to the Watershed Management Division:

5. Report of Messrs. McGinn and O'Connor, March 19, requesting approval to enter into Interdepartmental Service Agreement, Contract No. WM96-037-S1A, for Rare Plant Inventory, with the Biology Department at the University of Massachusetts, to complete an inventory of rare and endangered plants on lands scheduled for forest management and other lands likely to contain rare species.

Cost not-to-exceed $14,000.00.
Time for Performance - April 15, 1996 to December 31, 1996.
Funding available in Account No. 2420-1400.
The Commission V O T E D: Approved as requested by Messrs. McGinn and O'Connor in their report of March 19, 1996.

1. Report of Messrs. McGinn and Kane, March 5, on bids for Expedient Remedial Repairs and Reconstruction, Training Wall, Stearns Dam, Framingham, Massachusetts, Contract No. WM86-004-C2A.
Account No. 2420-7882.
(Messrs. McGinn and Kane recommend acceptance of the lowest qualified bid, that of RDA Construction Corporation, of $94,450.00).
The Commission V O T E D: to accept the lowest qualified bid, that of RDA Construction Corporation, of $94,450.00.

2. Report of Messrs. McGinn and Kane, March 5, on bids for Expedient Remedial Repairs and Reconstruction, Training Wall, Stearns Dam, Framingham, Massachusetts, Contract No. WM86-004-C2A.
Account No. 2420-7882.
(Messrs. McGinn and Kane recommend acceptance of the lowest qualified bid, that of RDA Construction Corporation, of $94,450.00).
The Commission V O T E D: to accept the lowest qualified bid, that of RDA Construction Corporation, of $94,450.00.

3. Report of Mr. McGinn, March 11, requesting approval and execution of an Amendment to Contract No. WM95-009-S1A, with the University of Massachusetts Resource Mapping Group, for an extension of time from April 2, 1996 to October 31, 1996 and a revision in the Contract budget to reflect staffing changes on Landuse Mapping Project ISA.
(At no increase in Contract cost).
The Commission V O T E D: Approved.
The Secretary then submitted for signature Amendment, dated March 28, 1996, to Contract No. WM95-009-S1A, with the University of Massachusetts Resource Mapping Group, which was signed by the Commissioner.

4. Report of Messrs. McGinn and Pula, February 7, recommending award of Non-Hazardous Waste (Rubbish) Removal Services for the Administration Building in Belchertown, Oakham Headquarters and New Salem Headquarters, for the period from July 1, 1996 through June 30, 1998, to the lowest bidder, Fred J. Fijal, at an estimated cost for the two year period of $7,439.52.
Account No. 2420-1400-JJ.
The Commission V O T E D: Approved.

Action was taken upon the following matter relating to the Reservations and Historic Sites Division:

5. Report of Mr. Broderick, February 26, requesting approval and authorization for Commissioner Balfour to execute on behalf of the Commission a Memorandum of Agreement with Marina Bay on Boston Harbor, for berthing space and utilities for the Lightship

Nantucket and further requesting authorization to pay an outstanding balance owed in excess of $5,500.00 to Marina Bay for electrical service to the Lightship Nantucket.
The Commission V O T E D: Held Over.

Action was taken upon the following matters relating to the Recreational Facilities and Programs Division:

1. Report of Mr. Doak, March 6, submitting for approval and execution a Special Use Permit with Boston Professional Roller Hockey, L.P. (BPRHLP), (a Limited Partnership), to operate and maintain a pilot roller hockey program at LoConte Memorial Rink, Veterans Parkway, Medford; Devine Memorial Rink, Morrissey Boulevard, Dorchester; Veterans Memorial Rink, Totten Pond Road, Waltham and Shea Memorial Rink, Willard Street, Quincy. The Special Use Permit shall be valid for a period of five (5) years from April 30 until August 20 of each year. (BPRHLP) shall pay all costs associated with the program.
(At no cost to the Commission).
The Commission V O T E D: Delete from Agenda.

2. Report of Mr. Doak, March 21, recommending that the Commission amend its vote of August 31, 1995, by modifying the Junior Season Ticket Fee from $150.00 to $100.00 at the Leo J. Martin and Ponkapoag Golf Courses.
The Commission V O T E D: to amend its vote of August 31, 1995, by modifying the Junior Season Ticket Fee from $150.00 to $100.00 at the Leo J. Martin and Ponkapoag Golf Courses, as recommended by Mr. Doak in his report of March 21, 1996.
Associate Commissioner Elkort did not participate in discussion nor vote on this matter.

3. Report of Mr. Doak, March 26, requesting approval for the solicitation of Proposals to create, manage, operate and maintain a Roller Hockey Program at various ice skating rinks for a period of five years from April 30 until August 20 of each operating year.
(At no cost to the Commission).
Associate Commissioner Carr noted that he had reviewed the draft Request for Proposals. He then suggested that more definitive rating criteria be incorporated into the document.
This, he felt, would offer the Concession Selection Committee a better means of evaluating and rating each of the proposers.
Associate Commissioner Carr then questioned if we would be offering unfair competition by taking roller hockey participants away from private sector facilities.
Mr. Doak responded that roller hockey is one of the fastest growing sports in the country and he did not feel that there are enough locations now available for the sport.
Associate Commissioner Elkort stated that she felt that roller hockey would offer an excellent way to utilize the rinks during warm weather when the facilities lay idle.
It was noted by Mr. Doak that the floors to be utilized for the activity cost between $40,000.00 and $50,000.00, and the five year permit would help amortize the cost of the floor for the

operator of the program.
Following a lengthy discussion, the Commission VOTED: to approve the item with the understanding that the Request for Proposals include a section outlining percent weights to be given to various criteria that will be evaluated and rated by the Concession Selection Committee such as experience of the principals, management and operating personnel, - improvements to the facility, maintenance and other benefits.
The Commission then asked that notice of the availability of the Request for Proposals be given wide distribution to publications and interested parties.

Action was taken upon the following Various Matters:

1. Report of Mr. Jewett, March 8, on behalf of the Consultant Selection Committee, requesting approval of Project No. P93-1671-D1A, with Simpson Gumpertz & Heger, Inc., for Design Services for the Reconstruction of the Storrow Drive Tunnel.
Estimated Cost for Engineering Services - $1,300,000.00 (to be finalized during negotiations).
Time for Performance - Estimated at thirty-six months.
Account No. 2490-8910.
The Commission VOTED: Approved.
Associate Commissioner Wu did not participate in discussion nor vote on this matter.

2. Report of Mr. Jewett, March 8, on behalf of the Consultant Selection Committee, requesting selection of Vollmer Associates, for Engineering Services for Rehabilitation of Nahant Beach Reservation.
Mr. Jewett further requests that the Commission approve a revised scope of services and an increase in the approximate cost, as approved at the Commission Meeting of June 10, 1993, from $200,000.00 to $250,000.00 (subject to negotiations).
Time for Performance - estimated at fifteen months.
Account No. 2440-8795.
The Commission VOTED: to approve the selection of Vollmer Associates, for Engineering Services for Rehabilitation of Nahant Beach Reservation.
The Commission further VOTED: to approve a revised scope of services and an increase in the approximate cost, as approved at the Commission Meeting of June 10, 1993, from $200,000.00 to $250,000.00 (subject to negotiations), as recommended by Mr. Jewett in his report of March 8, 1996.

3. Report of Mr. Jewett, March 25, requesting approval and execution of Amendment No. 3, which contains a new scope of services to address structural deficiencies that have been identified and cannot be deferred, on Contract No. P78-0639-D2A, for Restoration of Longfellow Bridge, with Stone & Webster Civil and Transportation Services, Inc.
(The negotiated cost of Amendment No. 3, in the amount of $354,684.00, will be paid from the unused funds from the original contract budget and at no increase in the current contract cost).

The Commission V O T E D: Approved.
The Secretary then submitted for signature Amendment No. 3, dated March 28, 1996, to Contract No. P78-0639-D2A, with Stone & Webster Civil and Transportation Services, Inc., which was signed by the Commissioner and three Associate Commissioners.

1. Report of Mr. Jewett, March 25, recommending approval of and authorization for Commissioner Balfour to execute, on behalf of the Commission, the following two (2) Contracts for Park Land Acquisition Program FY96 - (MDC Open Order Contract No. RP96-005) - for Professional Real Estate Title Examination Services, as follows -

NAME	**VALUE**	**PARCELS**
George S. Norton, Esq. 140 Windemere Road Auburndale, MA 02166	$5,945.00	4
Tamagini & Bloomenthal, P.C. 935 Main Street Waltham, MA 02154-7417	$5,500.00	3

Account No. 2441-9886.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute, on behalf of the Commission, the two (2) Contracts for Park Land Acquisition Program FY96 - (MDC Open Order Contract No. RP96-005) - for Professional Real Estate Title Examination Services, as recommended by Mr. Jewett in his report of March 25, 1996.

2. Report of Mr. Jewett, March 25, requesting that the Commission amend its vote of March 9, 1995, selecting A. G. Lichtenstein & Associates, Inc., for Remedial Design for Public Safety Consideration, Beaman Street Bridge, West Boylston, Contract-Agreement No. WM94-003-D1A, by increasing the upset limit from $40,000.00 to $50,000.00, to reflect additional tasks, now included in the Scope of Work.
Mr. Jewett further requests that the Commission execute the Contract-Agreement).
The Commission V O T E D: to amend its vote of March 9, 1995, selecting A. G. Lichtenstein & Associates, Inc., for Remedial Design for Public Safety Consideration, Beaman Street Bridge, West Boylston, Contract-Agreement No. WM94-003-D1A, by increasing the upset limit from $40,000.00 to $50,000.00, to reflect additional tasks, now included in the Scope of Work.
The Secretary then submitted for signature Contract-Agreement No. WM94-003-D1A, dated March 28, 1996, with A. G. Lichtenstein & Associates, Inc., which was signed by the Commissioner and three Associate Commissioners.

3. Report of Mrs. O'Brien, March 20, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. PL-96-040-D1A, for Charles River Lakes District Mechanical Weed Harvesting Program - 1996.

Estimated Cost - up to $55,000.00.
(approximately $50,000.00 for mechanical harvesting of any re-growth of water chestnut and approximately $5,000.00 for an updated comprehensive inventory of all invasive weeds in the Lakes District).
Time for Performance - seven months.
Account No. 2410-7872.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. PL-96-040-D1A, for Charles River Lakes District Mechanical Weed Harvesting Program - 1996.

1. Report of Mr. Jewett, March 27, on behalf of the Consultant Selection Committee, recommending approval and execution of Contract No. WM95-060-X1A, with SEA Consultants, Inc., for Pilot On-Site Remediation Program Wachusett Reservoir Watershed Area.
Compensation - $150,000.00 on a unit price basis.
Time for Performance - twelve months.
Account No. 2420-1400.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Contract No. WM95-060-X1A, dated March 28, 1996, with SEA Consultants, Inc., which was signed by the Commissioner and three Associate Commissioners.

2. Report of Mr. Jewett, March 27, requesting approval of Service Contract No. WM95-058-S1A, with Rackemann Environmental Services, Inc., for Evaluation of Wastewater Funding Alternatives - Wachusett and Quabbin Reservoir Watershed Areas.
Mr. Jewett further requests that the Commission Amend its vote of July 28, 1994 by increasing the cost from $30,000.00 to $39,800.00 - on a unit price basis.
Time for Performance - nine months.
Account No. 2420-1400.
Mr. Jewett further requests that Commissioner Balfour be authorized to execute the Service Contract on behalf of the Commission.
The Commission V O T E D: to approve Service Contract No. WM95-058-S1A, with Rackemann Environmental Services, Inc., for Evaluation of Wastewater Funding Alternatives - Wachusett and Quabbin Reservoir Watershed Areas.
The Commission further V O T E D: to amend its vote of July 28, 1994 by increasing the cost from $30,000.00 to $39,800.00 - on a unit price basis, as recommended by Mr. Jewett in his report of March 27, 1996.
The Commission further V O T E D: to authorize Commissioner Balfour to execute the Service Contract on behalf of the Commission.

Action was taken upon the following matters relating to the Office of Real Property:

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1. Report of Mr. Gray, March 22, recommending that the Commission adopt an Order of Taking for acquisition of approximately 5.92 acres of land owned by Carleen P. Tupper, et al, located in the Town of Holden, Massachusetts, and to approve an award of damages in the amount of $75,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936.
The Commission VOTED: to adopt an Order of Taking for acquisition of approximately 5.92 acres of land owned by Carleen P. Tupper, et al, located in the Town of Holden, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, March 28, 1996.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Holden in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying on the southwesterly side of Union Street and adjoining "Unionville Pond" so-called, more particularly bounded and described as follows:

Beginning at a stone bound found at a point on the southwesterly line of Union street, at land now of the Commonwealth of Massachusetts, Metropolitan District Commission, formerly of Stella F. Pierce;

Thence S. 67° 51′ 06" W., 409.30 feet, to a point;

Thence S. 71° 20′ 06" W., 31.50 feet, to another stone bound found at a corner;

Thence S. 12° 23′ 01" E., 121.82 feet, to a stone bound found at another corner;

Thence S. 76° 35′ 18" W., 60.35 feet, to another stone bound found at another corner;

Thence S. 12° 15′ 34" E., 155.19 feet, to another stone bound found at another corner;

Thence S. 72° 35′ 12" W., 464.19 feet, crossing the shoreline of Unionville Pond and running to another stone bound found at a corner, and land, now or formerly, of William K. Brewer et als, the last five courses being by land of the Commonwealth of Massachusetts, MDC;

Thence N. 08° 17′ 34" E., 80.00 feet, to a point;

Thence N. 80° 45′ 40" W., 75.00 feet, to a point;

Thence N. 08° 17′ 34" E., 417.82 feet, to a point at other land, now or formerly, of Ralph W. & Carleen P. Tupper, shown as Parcel "A" upon a plan referenced at the conclusion of this description, the last three courses being by land, now or formerly, of W. K. Brewer et als;

Thence S. 80° 45′ 40" E., 253.53 feet, to a point at a corner;

Thence N. 10° 07′ 00" E., 148.52 feet, to a point at a corner at other land, now or formerly, of Tupper, shown as Parcel "B" upon the plan referenced below;

Thence S. 79° 53′ 00" E., 249.87 feet, to a point;

Thence N. 80° 51′ 47" E., 151.63 feet, to a point at a corner and land, now or formerly, of Chester J. & B. Luann Wesolowski, the last two courses being by Parcel "B" as referenced below;

Thence N. 10° 07′ 00" E., 150.25 feet, by land, now or formerly, of Wesolowski, to a point on the southwesterly curving sideline of Union Street;

Thence By the line of the street and a curve to the right with a radius of 450.00 feet an arc distance of 70.26 feet to a point;

Thence S. 42° 54′ 14" E., by the street, 96.43 feet, to a point;

Thence S. 45° 36′ 24" E., by the street, 49.29 feet to the first mentioned stone bound, being the point and place of beginning.

Containing 5.92 acres, more or less, as shown upon a plan entitled "Plan Of Property In Holden, Mass. Owned By: Ralph W. & Carleen P. Tupper Book 14852 Page 107" prepared by Spofford Engineering 34 Scenic Drive, Holden, Ma. dated February 27, 1996, a copy of which, depicting Parcels "A" and "B", and the Remaining Lot, is on file with the Real Property Office of the Metropolitan District Commission at MDC Headquarters, 20 Somerset Street, Boston, MA. The above description is also partially based upon information shown upon a plan entitled "Plan Of Land In Holden, Mass. Prepared For W. Brewer, C. Brewer, & C. Tupper" dated 11-4-91, prepared by Spofford Engineering, and recorded with Worcester District Registry of Deeds as Plan 90 in Plan Book 666.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Union Street which may be held by the supposed owners as a result of their ownership of the above described parcel, and being the major portion of the same premises described in a deed from William K. Brewer and Carleen P. Tupper to Carleen P. Tupper and Ralph K. Tupper, dated August 28, 1992 and recorded with Worcester District Registry of Deeds at Book 14852, Page 107.

The above described property is represented upon Holden Assessors Tax Map 133 as most of Parcel 40.1.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
Carleen P. Tupper Ralph K. Tupper	$ 75,000.00

The Commission further VOTED: to approve an award of damages in the amount of $75,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, March 22, recommending that the Commission adopt an Order of Taking for acquisition of approximately 4.18 acres of land owned by Preston W. Hall, et ux, located in the Town of West Boylston, Massachusetts, and to approve an award of damages in the amount of $7,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 4.18 acres of land owned by Preston W. Hall, et ux, located in the Town of West Boylston, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, March 28, 1996.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of West Boylston in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying northerly of Laurel Street, abutting the West Boylston-Holden Town Line, more particularly bounded and described as follows:

Beginning at a point on the Corporate Boundry between the Towns of West Boylston and Holden, at a concrete bound set at the northwesterly corner of the parcel herein being described, at land of the Commonwealth of Massachusetts, Division of Fisheries & Wildlife, and of land, now or formerly, of Charles R. & Leslie D. Hicks, said point lying N. 12° 51′ 44" W., 2588.61 feet from the Town Line Monument found on the northerly line of Laurel Street/Manning Street;

Thence S. 88° 11′ 41" E., running through a pile of stones and a stone wall, 142.01 feet to a drill hole set at a corner of stone walls, at land, now or formerly, of Chester E. Peterson, this course being by land of the Commonwealth;

Thence S. 34° 21′ 59" E., by the stone wall 363.84 feet to a drill hole set at an angle in the wall;

Thence S. 63° 08′ 06" E., by the wall 130.29 feet, to a drill hole set at a point at land, now or formerly, of the Katherine P. Hart Trust, the last two courses being by land, now or formerly, of C.E. Peterson;

Thence S. 09° 26′ 20" W., 241.58 feet through stone wall remnants to an iron rod set at an angle;

Thence S. 30° 35′ 22" E., 89.68 feet partially along a stone wall, to an iron rod set in the wall, at land, now or formerly, of Wachusett Development Corporation, the last two courses being by land, now or formerly, of the K. P. Hart Trust;

Thence N. 86° 12′ 54" W., 320.00 feet, by land, now or formerly, of Wachusett Development Corporation, to a point on the West Boylston-Holden Corporate Line, and land, now or formerly, of Charles R. and Leslie D. Hicks;

Thence N. 12° 51′ 44" W., by the Corporate line and land, now or formerly, of C.R.& L.D. Hicks, 675.00 feet to the first mentioned concrete bound, being the place and point of beginning.

Containing 181,904 square feet, or 4.18 acres as shown upon a plan entitled "Commonwealth of Massachusetts, Metropolitan District Commission, Division of Watershed Management, Holden/West Boylston (Worcester County) MA., Land Taking Plan For Watershed Protection", dated June 30, 1995, and prepared by Greenman-Pedersen Inc., which plan shall be recorded with Worcester District Registry of Deeds, at a later date, and made a part of this order.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and being the same premises described as the second tract in a deed from Marguerite Burns a.k.a. Margaret Burns to Preston W. Hall and Rosemary C. Hall, dated January 6, 1956 and recorded with Worcester District Registry of Deeds at Book 3744, Page 534.

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The above described property is represented upon West Boylston Assessors Tax Map 106 as Parcel 2.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
Preston W. Hall and Rosemary C. Hall	$ 7,000.00

The Commission further VOTED: to approve an award of damages in the amount of $7,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

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1. Report of Mr. Gray, March 22, recommending that the Commission adopt an Order of Taking for acquisition of approximately 0.223 acres of land owned by R. Gary Griffin, Trustee, located in the Town of Sterling, Massachusetts, and to approve an award of damages in the amount of $1,500.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936.
The Commission VOTED: to adopt an Order of Taking for acquisition of approximately 0.223 acres of land owned by R. Gary Griffin, Trustee, located in the Town of Sterling, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, March 28, 1996.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Sterling in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying between Newell Hill Road and the former railbed of the Fitchburg and Worcester Railroad, a short distance northwesterly of the shore line of West Waushacum Lake, or Pond, more particularly bounded and described as follows:

Beginning at a stone bound set in the northwesterly line of a right of way at the most easterly corner of the parcel herein being described;

Thence S. 34° 34′ W., 57.20 feet, by the right of way, to another stone bound;

Thence N. 56° 50′ W., 174.63 feet, by land, formerly of Herbert C. & Camille M. Fisher, now of the Commonwealth of Massachusetts, Metropolitan District Commission, to a stake drived in the southeasterly line of another right of way;

Thence N. 30° 23′ E., 57 feet, by the right of way, to a stone bound;

Thence S. 56° 56′ E., 178.80 feet, by land, formerly of Fisher, now of the Commonwealth, MDC, to the stone bound first mentioned, being the place of beginning.

Also specifically taken and extinguished in this instrument are the rights of the former owner in and to any and all rights of way, from and to the above described parcel and Newell Hill Road, which may be in existence upon the surrounding lands of the Commonwealth.

Containing 10,153 square feet, or 0.233 acre, show as Lots 19 & 20 upon a plan entitled "Plan For Waushacum Park Company, A Massachusetts Corporation, Sterling Mass.", dated 1906 and recorded with Worcester District Registry of Deeds as Plan 71 in Plan Book 11.

The above described parcel is further identified as a portion of the third exception to a 20.27 acre lot, being the eight lot taken by the Metropolitan District Commission, Water Division in an order of taking numbered 170, dated September 1, 1920, recorded with said Deeds at Book 2226, Page 227, and shown upon a plan entitled "Metropolitan District Commission, Water Division, Improvement of Wachusett Watershed, Land in Sterling, Plan No. 198 of Land Takings", dated July 9, 1920, signed by William E. Foss Director amd Chief Engineer, which plan is recorded with said Deeds as Plan 52 in Plan Book 34.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and being the same premises described in a deed from Albert H. Suprenant, Jr. and Robyn Suprenant to Bradley P. Wilson, Trustee of Sterling Nominee Trust, dated November 9, 1992 and recorded with Worcester District Registry of Deeds at Book 14778, Page 85.

The above described property is represented upon Sterling Assessors Tax Map 15 as Parcel 9A.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
R. Gary Griffin, Trustee Sterling Nominee Trust	$ 1,500.00

The Commission further VOTED: to approve an award of damages in the amount of $1,500.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

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1. Report of Mr. Gray, March 22, recommending that the Commission adopt an Order of Taking for acquisition of approximately 2.1 acres of land owned by R. Gary Griffin, Trustee, located in the Town of Sterling, Massachusetts, and to approve an award of damages in the amount of $55,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936. The Commission VOTED: to adopt an Order of Taking for acquisition of approximately 2.1 acres of land owned by R. Gary Griffin, Trustee, located in the Town of Sterling, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, March 28, 1996.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Sterling in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying on the northeasterly side of the highway leading from Sterling to Worcester, known as Worcester Road-Route 12, near its intersection with Jewett Road, more particularly bounded and described as follows:

Beginning at a stake in the northeasterly line of the highway, at the southwesterly corner of the parcel herein being described, at land, formerly of Elsie S. Lunt, now or formerly, of Angler's Landing Condominium;

Thence N. 08° 50′ 40" W., 505.95 feet, by the highway, to a Massachusetts Highway bound;

Thence Northerly, by the easterly layout line of Worcester Road and a curve to the right, an arc distance of 108.30 feet, to another Massachusetts Highway bound;

Thence N. 07° 45′ 39" W., 220.65 feet, by the highway, to another Massachusetts Highway bound;

Thence Northerly, by the easterly layout line of Worcester Road and a curve to the right, an arc distance of 207.79 feet, to a stone bound at land, formerly of ??????, now of the Commonwealth of Massachusetts, Metropolitan District Commission;

Thence S. 41° 44′ E., 143.9 feet, to a stone bound;

Thence S. 09° 07′ E., 182.0 feet, to a stone bound;

Thence S. 23° 17′ W., 133.0 feet, to a stone bound;

Thence S. 25° 55′ E., 234.0 feet, to a stone bound;

Thence S. 01° 48′ W., 250.3 feet, to an iron bolt in a stump;

Thence S. 08° 33′ W., 165.2 feet, to a stone bound at land, formerly of Lunt, now or formerly, of the aforesaid Condominium, the last six courses being by land of the Commonwealth of Massachusetts, Metropolitan District Commission;

Thence S. 81° 09′ 20" W., 35.29 feet, by land, now or formerly, of Angler's Landing Condominium, to the point and place of beginning.

Containing 2.1 acres, more or less, as shown upon a plan entitled "Land In Sterling, Mass. Owned By Ellen B. McNamara And William Connolly", dated 1947, prepared by William P. Roy C.E., which plan is recorded with Worcester District Registry of Deeds as Plan 3 in Plan Book 150.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Worcester Road-Route 12 which may be held by the supposed owner, as a result of his ownership of the above described property, and being the same premises described in a deed from Albert H. Suprenant, Jr. and Robyn Suprenant to Bradley P. Wilson, Trustee of Sterling Nominee Trust, dated November 9, 1992 and recorded with Worcester District Registry of Deeds at Book 14778, Page 79.

The above described property is represented upon Sterling Assessors Tax Map 14 as Parcel 36.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
R. Gary Griffin, Trustee Sterling Nominee Trust	$ 55,000.00

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The Commission further VOTED: to approve an award of damages in the amount of $55,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

Adjourned at 10:10 a.m., to meet on Thursday, April 4, 1996, at 9:00 a.m.

William F. Cushing
Secretary

A J BOOKBINDER

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